

STANDARD FOR EQUALITY AND DIVERSITY

Delivery Plan 2009/10

This delivery plan sets out how Her Majesty's Courts Service (HMCS) will meet its Standard for Equality and Diversity (E&D). The standard is based on existing legislation¹ and codes of practice² and covers discrimination on any one or more of the following grounds:³ age; disability;⁴ gender; gender identity; race;⁵ religion or belief; and sexual orientation. We are committed to ensuring that we do not discriminate against anyone using our services and to addressing any real or perceived disadvantage experienced by public and professional court users (referred to as 'court users' throughout the rest of this document).⁶

Our goal	How we will achieve it	Target date achieved	People responsible
I. Commitment			
We will drive forward the actions needed to meet the standard for E&D at the highest levels. We will review performance and set new goals, supporting this by making best use of available resources	Define the roles of the HMCS E&D Delivery Group and Equality Champion and clarify roles and responsibilities	End March 2009	HMCS Equality Team
	Set a standard for E&D in HMCS along with a delivery plan and a mechanism for monitoring progress and quality	End March 2009	HMCS Equality Team
	Ensure that all HMCS business plans show clearly that the business area intends to: <ul style="list-style-type: none"> • comply with equality legislation and codes of practice; • meet the standard and relevant parts of the delivery plan; and 	End November 2009	All regional, area and centre directors

¹ www.equalityhumanrights.com/en/yourrights/

² http://83.137.212.42/sitearchive/DRC/employers_and_service_provider/disability_equality_duty/explaining_the_duty/codes_of_practice.html; www.equalityhumanrights.com/en/publicationsandresources/Documents/Gender/GED_CoP.doc; http://83.137.212.42/sitearchive/cre/downloads/duty_code.pdf.

³ www.equalityhumanrights.com/en/yourrights/

⁴ Including sensory impairment, mental health conditions, physical disabilities and learning disabilities.

⁵ Including colour, nationality or ethnic or national origin.

⁶ Public and professional court users are also referred to as customers in other HMCS documents.

Our goal	How we will achieve it	Target date achieved	People responsible
	<ul style="list-style-type: none"> complete equality impact assessments (EIAs) for all new HMCS policies and functions⁷ identified as priorities by HMCS directors as part of the business planning process. When setting these priorities, directors should consider which policies and functions are likely to have the greatest impact on staff, court users and services. <p>All business plans must be published internally on the business area's intranet and web pages. Annual business plan reports will draw on both internal and external feedback and data sources to evidence and confirm progress in the area of E&D.</p>	End November 2009	All regional, area and centre directors
	Ensure that all staff are carrying out their roles and responsibilities as defined in the standard	Ongoing	All staff
	Ensure that all meetings of the HMCS board of directors and regional, area and central management boards include a quarterly update on progress against meeting the standard and delivering this plan	End December 2009 and then quarterly (end March, June, September and December)	Chief executive and all regional, area and centre directors
	Ensure that the different components of each business area work together effectively to manage E&D issues and priorities	End September 2009	All regional, area and centre directors
	Establish a communication process that gives directors and staff access to timely information including legal and practical advice on E&D and lessons learned from both HMCS and other Ministry of Justice (MoJ)/government departments	End July 2009	HMCS Equality Team

⁷ 'Policies and functions' refers to all aspects of HMCS's work, including policies and associated procedures, guidelines, strategies, projects, planning, protocols and everyday activities.

Our goal	How we will achieve it	Target date achieved	People responsible
2. Learning and development			
We will provide training for staff so they can be proactive and responsive in identifying and meeting the needs of colleagues and court users	Put in place an E&D strategy for local and national staff training (including ongoing refresher training) ⁸ to address any E&D training gaps, create greater consistency and ensure that all new training materials and new courses will have equality and diversity built into them at source	End December 2009 (to be reviewed by the HMCS Learning and Development (L&D) Board in June 2009 and approved in October 2009)	All new staff to undertake training within three months of employment. All existing staff to have undertaken training by end June 2010
	Ensure that all staff are given the training and support they need to: <ul style="list-style-type: none"> • recognise the diverse needs of court users; • understand the relevant equality legislation and how it relates to their personal responsibilities, including for making reasonable adjustments under the Disability Discrimination Act (DDA); and • feel empowered to use the right behaviours and to challenge others if they fail to do so 	End December 2009 (to be reviewed by the HMCS L&D Board in June 2009 and approved in October 2009)	HMCS L&D Board and regional L&D leads
	Ensure that all staff undertake mandatory E&D e-learning modules (available from September 2009)	All new staff to undertake training within three months of employment. All existing staff to have undertaken training by end June 2010	All regional, area and centre directors and all managers

⁸ EIAs should be completed for this strategy and for subsequent training modules.

Our goal	How we will achieve it	Target date achieved	People responsible
	Produce guidance on making reasonable adjustments for staff, setting out their responsibility for ensuring that HMCS services are accessible to all court users	End August 2009	HMCS Equality Team
	Publicise the guidance so that all staff are aware of: <ul style="list-style-type: none"> • their own responsibilities; • reasonable adjustments/managed solutions already in place; • the need to maintain record sheets and logs; • the need to identify and share good practice; and • the sign-off procedure they will need to follow where a reasonable adjustment cannot be made 	Via September 2009 team brief and then ongoing	All managers
	Put in place a team of EIA experts with the knowledge and skills to meet the needs of the business, along with a succession plan	End December 2009	All regional, area and centre directors

Our goal	How we will achieve it	Target date achieved	People responsible
3. Consulting and listening, engaging and involving			
We will use feedback to improve policies, processes and service delivery, making sure we involve the right people at the right time and in the right way	Build on existing networks of external consultees so that they properly reflect the diversity of our customer base and include representatives from voluntary and community support groups that help people going through the justice system	Networks to be reviewed and in place by end December 2009	All regional, area and centre directors
	Engage these consultative networks regularly in order to: <ul style="list-style-type: none"> • enhance service provision and involvement; • increase our understanding of the issues facing different groups of court users; and • identify the barriers that could be preventing court users from accessing HMCS services 	Ongoing	All regional, area and centre directors and all managers

Our goal	How we will achieve it	Target date achieved	People responsible
	<p>EIAs will be carried out on those policies and functions⁹ identified as priorities by HMCS directors as part of the business planning process. When setting these priorities, directors should consider which policies and functions are likely to have the greatest impact on staff, court users and services.</p> <p>Where the EIA process¹⁰ is followed, it should be implemented from the outset so that:</p> <ul style="list-style-type: none"> • representatives from our consultative networks are fully involved; • any weaknesses are clearly identified, along with the actions needed to tackle them; • procedures and sign-off requirements for EIAs are fully complied with, including forwarding copies to the MoJ Corporate Equality Team; and • EIA post-implementation reviews are carried out 	<p>At the start of each policy or function identified as a priority by HMCS directors</p>	<p>All regional, area and centre directors</p>

⁹ 'Policies and functions' refers to all aspects of HMCS's work, including policies and associated procedures, guidelines, strategies, projects, planning, protocols and everyday activities.

¹⁰ <http://intranet.justice.gsi.gov.uk/justice/forms/downloads/equality/equality-impact-assessment-guidance.doc>.

Our goal	How we will achieve it	Target date achieved	People responsible
4. Continuous improvement			
<p>We will continue to strive to tackle direct and indirect discrimination, and work to identify, promote and share good E&D practice across HMCS</p>	<p>Ensure that centre, regional and area risk registers:</p> <ul style="list-style-type: none"> • clearly identify areas where HMCS may not be able to work in accordance with E&D legislation (including not allocating funding to identified needs); • clearly identify and prioritise mitigating actions; and • make provision for escalating issues to directors and regional diversity managers where appropriate 	<p>In line with national risk management process and timelines¹¹</p>	<p>All managers</p>
	<p>Introduce a web-based database holding:</p> <ul style="list-style-type: none"> • good practice examples; • case studies; and • standard operating procedures to be followed by staff <p>This database will include a specific section on E&D</p>	<p>End September 2009</p>	<p>Innovation and Support Branch and HMCS Equality Team</p>
	<p>To meet the key themes of the MoJ E&D strategy, identify:</p> <ul style="list-style-type: none"> • what data is already being captured for staff and court users; • what feedback is available on how services are being delivered to diverse groups (including staff and court users); • any additional data capture needs; and • where regional community engagement strategies may close these gaps 	<p>Report and recommendations on priorities and way forward to be delivered at the September 2009 meeting of HMCS E&D Delivery Group (for staff) and at the December 2009 meeting (for court users)</p>	<p>HMCS Equality Team</p>

¹¹ <http://libra.lcd.gsi.gov.uk/securityandsafety/7909.htm>.

Our goal	How we will achieve it	Target date achieved	People responsible
	Identify: <ul style="list-style-type: none"> • any works needed to ensure that the HMCS estate conforms to DDA legislation and best practice set out in section 31 of the <i>Court Standards and Design Guide</i>;¹² and • any works needed to ensure that all buildings in the estate are fully accessible 	Report to regional directors by end October 2009	Regional estate managers
	Carry out an assessment (with support from estate managers where needed) to: <ul style="list-style-type: none"> • identify those courts that rely on managed solutions/ reasonable adjustments (either in part or in whole) to address their obligations under the DDA; • ensure that related ancillary equipment (e.g. portable ramps) is regularly maintained and tested to ensure reliability; and • ensure that local staff are aware of these managed solution/reasonable adjustments plans and of their individual responsibilities by publicising the guidance on reasonable adjustments 	End November 2009	Court managers

¹² The Guide states that, generally, one court in every four should be accessible. In complexes with 12 or more courts, 1 in 10 should be accessible. Where non-compliant courts can easily be made compliant with some aspects of the DDA without negative impact this should be done, particularly where this will also benefit non-disabled people.

Our goal	How we will achieve it	Target date achieved	People responsible
	<p>Ensure that:</p> <ul style="list-style-type: none"> • appropriate induction loops/infrared systems or similar facilities exist in courts in accordance with the guidelines set out in the <i>Court Standards and Design Guide</i>¹³ and, where they do not, that appropriate bids are made for funding; • induction loops/infrared systems (or other alternative solutions requested by individuals) are available and in good working order; and • an accurate database of hearing facilities information is in place and maintained¹⁴ 	End December 2009	Regional and area estate managers and court managers
	Provide DDA access audit and awareness training to regional, area and central estates staff as needed	End February 2010	HQ Estates

¹³ The Guide states that facilities for the hard of hearing should generally be provided in each Crown, county and magistrates' court building on the following basis:
 1–2 courts = 1 fixed installation; 3 courts = 1 fixed and 1 portable (suitcase pack) installation; more than 3 courts = 1 fixed installation for every 3 courts plus 1 portable system. This may vary according to local needs. Courts should consider asking those being summoned to court whether they need additional hearing facilities so that they can prepare. Where systems are needed in jury rooms as well as in courtrooms themselves, portable installations may be particularly suitable. Courts should consider fitting induction loops/infrared systems at public counters, particularly where there are high levels of ambient noise or glazed screens between staff and members of the public.

¹⁴ We are currently looking at how CESA (customer experience self-assessment tool) can be developed to provide this database. An alternative would be to capture relevant data via the programme of annual courtroom audits conducted by HQ Estates.

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