

# **STANDARD FOR EQUALITY AND DIVERSITY**

## WHY EQUALITY AND DIVERSITY MATTER TO US

Her Majesty's Courts Service (HMCS) is committed to providing fair and open access to justice for all citizens.<sup>1</sup>

We want to eliminate all forms of discrimination from the court process, whether based on age, disability, gender, gender identity, race, religion or belief, or sexual orientation.

These guidelines set out:

- our commitment to equality and diversity (E&D);
- our vision for the organisation;
- what the commitment will mean for public and professional court users (referred to as 'court users' throughout the rest of this document)<sup>2</sup> and staff;
- how we plan to fulfil our commitment; and
- how we will monitor our progress.

They support:

- the Ministry of Justice Equality Action Plan;<sup>3</sup>
- the Ministry of Justice equality schemes<sup>4</sup> covering race, disability and gender; and
- the diversity strategy for the Civil Service, *Promoting Equality, Valuing Diversity*.<sup>5</sup>

Although this standard focuses mainly on our external customers, the values set out in it also apply to all HMCS staff.

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<sup>1</sup> Section 1.2 of our strategic framework ([www.hmcs-service.gov.uk/cms/files/HMCSBusinessPlan-2009-10.pdf](http://www.hmcs-service.gov.uk/cms/files/HMCSBusinessPlan-2009-10.pdf)).

<sup>2</sup> Public and professional court users are also referred to as customers in other HMCS documents.

<sup>3</sup> <http://intranet.justice.gsi.gov.uk/justice/equdiv/downloads/equality-action-plan.pdf>.

<sup>4</sup> [www.justice.gov.uk/publications/equality-schemes-2008.htm](http://www.justice.gov.uk/publications/equality-schemes-2008.htm).

<sup>5</sup> [www.civilservice.gov.uk/Assets/diversity\\_strategy\\_tcm6-2258.pdf](http://www.civilservice.gov.uk/Assets/diversity_strategy_tcm6-2258.pdf).

## OUR COMMITMENT TO EQUALITY AND DIVERSITY

HMCS serves a diverse society. Court users include people:

- of different ages;
- with disabilities;<sup>6</sup>
- of different genders and gender identities;
- of different races;<sup>7</sup>
- of different religions and beliefs; and
- of different sexual orientation.

We are committed to ensuring that we do not discriminate against any court users on any grounds, and to addressing any disadvantage – real or perceived – experienced by them in the course of their dealings with HMCS.<sup>8</sup>

We are also committed to recognising the diverse needs of all our staff, including those with caring responsibilities and those adopting alternative working patterns, and to helping all staff achieve a healthy work/life balance.

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<sup>6</sup> Including sensory impairment, mental health conditions, physical disabilities and learning disabilities.

<sup>7</sup> Including colour, nationality or ethnic or national origin.

<sup>8</sup> [www.equalityhumanrights.com/en/yourrights/](http://www.equalityhumanrights.com/en/yourrights/)

## OUR GOAL

Our aim is to create an organisation that:

- fully reflects the diversity of the society it serves, valuing the contribution that staff and court users make to our work;
- tackles structures, behaviours and attitudes that might contribute to, or reinforce, the perceived or real threat of inequality and discrimination;
- delivers services that are accessible to and meet the needs of all court users;
- treats all court users with fairness, understanding, dignity and respect;
- actively involves court users in developing its policies through effective, appropriate consultation; and
- promotes equality of opportunity for everyone.

## **THE BENEFITS OF PROMOTING EQUALITY AND DIVERSITY**

We believe that embedding E&D into everything we do will bring a range of benefits.

For court users:

- equal access to justice and a high quality service that inspires trust and confidence in the justice system;
- policies and services that reflect current needs and priorities;
- more transparent policy development and decision-making; and
- higher levels of satisfaction.

For our organisation:

- improved policy and more effective service delivery, driven by a better understanding of court users' needs; and
- fewer complaints and claims of discrimination.

## **ACHIEVING OUR GOAL**

Our E&D Delivery Plan<sup>9</sup> sets out how we intend to implement this standard. The plan is split into the following four areas and includes target dates along with a clear indication of who is expected to take responsibility for delivery.

### **1. Commitment**

We will drive forward the actions needed to meet the standard at the highest levels. We will review performance and set new goals, supporting this by making best use of available resources.

### **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.

### **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.

### **4. Continuous improvement**

We will continue to strive to tackle direct and indirect discrimination, and work to identify, promote and share good E&D practice across HMCS.

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<sup>9</sup> <http://libra.lcd.gsi.gov.uk/centre/performance/customerservices/16857.htm>.

## ROLES AND RESPONSIBILITIES

Everyone at HMCS has a part to play in achieving the E&D standard.

### **Each employee is responsible for:**

- ensuring that their work complies with the relevant equality legislation<sup>10</sup> and codes of practice;<sup>11</sup>
- helping to create a working environment that embraces change and is quick to respond to court users' needs;
- actively addressing equality issues in their day-to-day work;
- ensuring that their own behaviour recognises the diverse needs of court users and colleagues and promotes equality for all;
- identifying relevant equality objectives and including these in the appraisal process; and
- doing everything they can to turn this standard into a reality.

### **The chief executive and the HMCS board of directors are responsible for:**

- providing leadership and ensuring that this standard is developed and implemented;
- ensuring that diverse groups are consulted and their views fed into the development of all new or changed policies and functions;
- strategic engagement with, and accountability to, the wider public relating to the E&D agenda;
- holding directors to account through performance appraisal;
- clearly communicating the importance of the E&D agenda, and their commitment to it;
- ensuring that performance against meeting court user and staff needs is high on their own agenda and that of the organisation; and
- acting as equality role models for the organisation as a whole.

### **The HMCS Equality and Diversity Champion is responsible for:**

- ensuring that any risks and weaknesses in HMCS's E&D strategy are identified and tackled;
- advising HMCS directors on progress against this standard and highlighting key issues;
- ensuring that directors deliver any necessary improvements; and
- promoting E&D across HMCS.

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<sup>10</sup> [www.equalityhumanrights.com/your-rights/equality-and-discrimination](http://www.equalityhumanrights.com/your-rights/equality-and-discrimination).

<sup>11</sup> [http://83.137.212.42/sitearchive/DRC/employers\\_and\\_service\\_provider/disability\\_equality\\_duty/explaining\\_the\\_duty/codes\\_of\\_practice.html](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](http://www.equalityhumanrights.com/en/publicationsandresources); [http://83.137.212.42/sitearchive/cre/downloads/duty\\_code.pdf](http://83.137.212.42/sitearchive/cre/downloads/duty_code.pdf).

### **Area directors and managers are responsible for:**

- acting as role models and creating a culture where E&D forms an integral part of everyday working life;
- addressing E&D issues through business and work plans and regular performance reviews;
- incorporating E&D into day-to-day management activities, including by making progress against the E&D Delivery Plan a standing agenda item at all key meetings;
- ensuring that all staff are aware of their responsibilities and accountabilities under the equalities legislation, including those for reasonable adjustments<sup>12,13</sup> and equality impact assessments;<sup>14</sup>
- encouraging staff to learn more about diversity issues by attending events and taking part in learning and development opportunities;
- sharing experiences relating to E&D in order to foster a learning environment and continuous improvement;
- taking appropriate action against anyone found to have acted in a discriminatory manner; and
- ensuring that, where contractors deliver services in a way that does not comply with E&D principles, the issue is escalated to the appropriate level.

### **The HMCS Equality Team is responsible for:**

- developing policy and strategy on E&D;
- providing advice and guidance to staff;
- supporting the equality performance review process;
- championing issues both internally and externally;
- managing and highlighting risks;
- providing equality and diversity delivery assurance; and
- supporting HMCS to turn this standard into a reality.

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<sup>12</sup> Reasonable Adjustments Guidance for staff is available at <http://intranet.justice.gsi.gov.uk/justice/hr/support/downloads/disability-policy/ability-manual-2008.pdf>.

<sup>13</sup> Reasonable Adjustments Guidance for court users is available at <http://libra.lcd.gsi.gov.uk/centre/performance/customerservices/16606.htm>.

<sup>14</sup> <http://intranet.justice.gsi.gov.uk/justice/equdiv/equal-impact.htm>.

## **MONITORING AND REPORTING PROGRESS**

We will regularly monitor and review progress against this standard and the E&D Delivery Plan at various levels of the organisation and in particular:

- at the HMCS directors' board meetings;
- at the E&D Delivery Group meetings;
- through the business planning process;
- at individual work and performance reviews;
- at area, regional and central management board meetings; and
- through staff/court user engagement surveys.

We also plan to involve our key stakeholder groups in the review process.

Reports on progress will be published both in the HMCS Annual Report and in a report to the HMCS board on E&D work in HMCS.

To request alternative format versions of this publication, contact  
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or call 0121 250 6350.