



EQUALITY SCHEMES

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1. Introduction

Legislation requires that where a unified Scheme is developed it is important that the distinct strands can be identified.

In this appendix are schemes for Race Equality; Religion Equality; Disability Equality; Gender Equality and Sexual Orientation. Included are:

- the legal context for each area
- details of the analysis of the key functions, policies and processes which apply to the general duties relating to race, disability and gender
- the detailed action plan

2. Race Equality Scheme

(i) The Legal Context

The **Race Relations (Amendment) Act 2000** strengthens the Race Relations Act 1976, and places a legal **General Duty** on public authorities that in carrying out all their purposes they must have a due regard to

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

The general duty is supported by **Specific Duties** one of which is that listed public authorities produce a Race Equality Scheme. As part of this scheme organisations must set out its arrangements for:

- assessing and consulting on the likely impact of proposed policies on promoting race equality
- monitoring policies for an adverse impact
- publishing the results of assessments, consultations and monitoring
- ensuring public access to information and services
- Training staff in the general and specific duties

In addition under the specific duties, listed organisations are required to

- Monitor employees and applicants for employment, training and promotion
- Monitor employees who receive training, benefit or suffer detriment from performance assessment, are involved in grievances, who have disciplinary action taken against them, or who leave employment
- Publish employment monitoring results annually

The Race Equality Scheme should be reviewed every three years.

When the RR (A) A was initially published the HFEA was not listed under schedule 2 as required to be compliant with the specific duties. The HFEA have been informed by the Department of Health (DH) that they are recommending to list the HFEA as required to be compliant with the specific duties under the RR(A)A, and that this amendment is due to be implemented circa December 2006. We will be required to produce a Race Equality Scheme within five months of the amendment being implemented.

In 2003, the Government also introduced the **Race Relations Act 1976 (Amendment) Regulations 2003**, which incorporates the European Union Race Directive into UK law by making further changes to the Race Relations Act 1976. The new regulations introduced new legal definitions of harassment and discrimination; a new legal burden of proof in tribunal or court cases concerning racial discrimination or harassment; and a new exception from the prohibition to discriminate in employment where being of a particular race is a genuine and determining requirement for the job in question.

(ii) Analysis of the key functions, policies or processes of the HFEA which apply to the General Duty under the Race Relations (Amendment) Act 2000

	Is it relevant to the general duty?		What is the degree of relevance?	
<p><i>This assessment has been carried out using the assessment grid set out in the Commission for Racial Equality's 'Guide for Public Authorities on the duty to promote race equality' (amended)</i></p> <p>Functions and related policies</p>	<p>Which of the aspects does it relate to (if any):</p> <p>1,2,3¹</p>	<p>Is there evidence or reason to believe that different groups could be differentially affected?</p> <p>Which groups are affected and how?</p>	<p>How much evidence do you have?</p> <p>0 none, 1 a little, 2 some, 3 a lot.</p>	<p>Is there any public concern that functions/policies are being operated in a discriminatory manner?</p> <p>0 none, 1 a little, 2 some, 3 a lot.</p>
<p>1. Inspection</p> <p>Regulate centres to ensure compliance with legal standards and code of practice in the provision of ART treatments.</p> <p>Regulate research centres to ensure compliance with legal standards and code of practice</p> <p>Ensure that PRs are aware of their clinic's responsibilities under E&D legislation and are competent in carrying this out</p>	<p>1, 2, 3</p> <p>1,2,3</p>	<p>ensure that applicable diversity standards are met, that NHS clinics are aware of their Trust's diversity scheme and action plan and apply as applicable to their area.</p> <p>Through patient questionnaires gather information on accessibility of clinic services to all different communities</p> <p>Need to ensure that standards and expectations are clear. Build in to criteria for competent PRs</p>	<p>3</p> <p>3</p>	<p>2</p> <p>1</p>

¹ 1) eliminating discrimination and/or harassment; 2) promoting equal opportunities; 3) promoting good race relations;

Clinical governance and patient safety, including patient complaints	1,2,3	Monitor for evidence of discriminatory treatment in provision of services. Ensure this is fed back into the inspection process.	2	2
2. Policy Policy development Consultations	1,2	PGD - <i>concerns where PGD relates to race selection (linked to specific disease or disability)</i>	3	2 Some concerns voiced regarding PGD
Code of practice		Need to develop equality impact assessments (EIAs) to inform policy work – <i>All groups</i>	3	Some concern over accessibility to mix of donors. Treatment is expensive, though, excluding large sections of society.
		Policy promotes need of clinics to recruit mix of donors. <i>Variety of ethnic backgrounds</i>	3	Treatment is expensive, though, excluding large sections of society.
Advising government on emerging scientific research and technologies		Ensure Code of Practice positively promotes requirement for good practice in the promotion of diversity issues for all centres (private as well as public)	3	Ethical concerns of many aspects of work from some religious groups
		Review of HFE Act – lobby government to eliminate inconsistencies between HFE Act and equalities legislation	3	

<p>3. Communication and public involvement Internal Communications Publications Website Management Patients' enquiries</p> <p>Events management</p> <p>HFEA's patients' panel</p> <p>Media</p>	<p>1, 2,3</p> <p>2</p> <p>2</p> <p>2</p>	<p>Ensure information communicated in a variety of ways. Avoid complete reliance on written communication (website, email, leaflets). AAA compliance. <i>People with different language needs, or limited literacy.</i></p> <p>Ensure facilities provided to meet different needs, accessibility, diet <i>Language or religious needs</i></p> <p>Wider base of panel members Ensure accessibility for all potential members <i>wider cultural mix</i></p> <p>Promotion of HFEA work and information to different communities, using community or specialist press, <i>Different culture and ethnic groups,</i></p>	<p>3</p> <p>2</p> <p>3</p> <p>3</p>	<p>2 - Mostly relates to patient concerns over access to treatment</p>
<p>4. Information & Register Provision of IT systems (Register, EDI, Centrepede, CRM, HR systems, etc) Maintenance of Register Statistical information, analysis of data FOI and data protection requests</p>	<p>1, 3</p>	<p>To ensure that information is captured and inputted and systems developed to enable analysis of data Analysis of equalities data</p>	<p>2</p>	<p>1- limited concerns raised in any of these areas</p>

Opening the Register	2	Provision of information for donor conceived people.	1	
5. Employment functions and policies All policies to be compliant, but specific focus as relates to race for the following:				
Dignity at Work	1, 2, 3	Bullying, harassment and victimisation cover the full range of discrimination laws. Need to develop zero tolerance approach to tackle issues from external sources	Evidence of relevance is high (3) for all assessments – as they relate explicitly to discrimination legislation	1- Some limited issues around harassment and bullying flagged up through staff survey and grievances/exit interviews (informal/formal). Some concern on fairness of access training from last staff survey and one exit interview. Very little other evidence of discriminatory activity either
Discipline	1	Need to monitor for adverse application of policy across all groups		
Equal Opportunities	1, 2, 3	Applies across the full range of discrimination laws		
Grievance	1	Need to monitor for adverse application of policy across all groups		
Performance Management	1, 2	Need to monitor for adverse application of policy across all groups. To monitor box marking and PRP.		
Recruitment & Selection	1, 2, 3	Need to monitor for adverse application of policy across all groups. To be aware of impacts at all stages: job description/person specification, job		

Training & Study Leave	1, 2	evaluation, advertising, shortlisting, interviewing, salary, health clearance, references, work permits. Need to monitor for adverse application of policy across all groups. Monitor access to and take up of training opportunities		through monitoring the application of policies and functions or from formal complaints – internally or from members of the public (e.g. job applicants)
HR Functions (not related to policies listed above)				
Contracts / Staff Handbook / Benefits including EAP, Familylife Solutions, Childcare vouchers	1, 2	Need to monitor for adverse application of contractual entitlements and/or benefits across all groups.		
Change management, including redeployment and redundancy	1	Need to monitor for adverse application of policy across all groups.		
Staff Surveys	2, 3	Mechanism to monitor for adverse application of policies, attitudes and active promotion of range of issues across all groups.		
Staff Forum	2	Mechanism to discuss issues and to develop and promote positive actions.		
Temporary staffing - agencies	1, 2	To review contracts/SLAs to ensure commitment to HFEA equality standards are included and adhered to		

3. Religion Equality Scheme

The Legal Context

The Employment Equality (Religion or Belief) Regulations 2003 outlaw discrimination in employment and vocational training on grounds of religion or belief. This includes recruitment, terms and conditions, promotions, transfers, dismissals and training. The Directive makes it unlawful for the HFEA to:

- discriminate directly against anyone, that is, to treat them less favourably than others because of their religion or belief;
- discriminate indirectly against anyone, that is, to apply a criterion, provision or practice which disadvantages people of a particular religion or belief without a good reason;
- subject someone to harassment. Harassment is unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them;
- victimise someone because they have made a complaint or allegation or have given evidence against someone else in relation to a complaint or discrimination on the grounds of religion or belief;
- discriminate against someone in some circumstances after the working relationship has ended.

The Religion or Belief Regulations apply to discrimination on grounds of religion, religious belief or similar philosophical belief. They cover discrimination on grounds of perceived as well as actual religion or belief (i.e. assuming - correctly or incorrectly - that someone has a particular religion or belief). The Regulations also cover association, i.e. being discriminated against on grounds of the religion or belief of those with whom you associate (for example, friends and/or family)

In addition in Northern Ireland, legislation prohibiting discrimination on the grounds of religious belief has existed since 1976. The Fair Employment Act (1976 and 1989), which has now been consolidated and replaced by the Fair Employment and Treatment (Northern Ireland) Order 1998, prohibits discrimination by the government and public bodies on the grounds of religious belief. The definition of discrimination in the Fair Employment and Treatment (NI) Order 1998 is similar to that in the Sex Discrimination and Race Relations legislation.

4. Disability Equality Scheme

(i) The Legal Context

The **Disability Discrimination Act 2005** places a legal **General Duty** on public authorities that in carrying out all their purposes they must have a due regard to:

- Promote equality of opportunity between disabled people and other people
- Eliminate discrimination that is unlawful under the DDA
- Eliminate harassment of disabled people that is related to their disability
- Promote positive attitudes towards disabled people
- Encourage participation by disabled people in public life
- Take steps to meet disabled peoples needs, even if this requires more favourable treatment

The general duty is supported by **Specific Duties** one of which is that listed public authorities produce a Disability Equality Scheme by 4 December 2006. As part of this scheme organisations must set out its arrangements to:

- Involve disabled people in the development of the scheme
- Include a statement which demonstrates
 - How disabled people have been involved
 - Methods for impact assessment
 - Steps to fulfil the general duties (the action plan)
 - Gathering information on employment and delivery of its functions
 - Putting information gathered to use
 - Take the steps outlined in its DES
 - Publish a report

In addition under the specific duties, listed organisations are required to

- Monitor employees and applicants for employment, training and promotion
- Monitor employees who receive training, benefit or suffer detriment from performance assessment, are involved in grievances, who have disciplinary action taken against them, or who leave employment
- Publish employment monitoring results annually

(ii) Analysis of the key functions, policies or processes of the HFEA which apply to the General Duty under the Disability Discrimination Act 2005

	Is it relevant to the general duty?		What is the degree of relevance?	
<p><i>This assessment has been carried out using the assessment grid set out in the Commission for Racial Equality's 'Guide for Public Authorities on the duty to promote race equality' (amended)</i></p> <p>Functions and related policies</p>	<p>Which of the aspects does it relate to (if any):</p> <p>1,2,3,4,5 ²</p>	<p>Is there evidence or reason to believe that different groups could be differentially affected?</p> <p>Which groups are affected and how?</p>	<p>How much evidence do you have?</p> <p>0 none, 1 a little, 2 some, 3 a lot.</p>	<p>Is there any public concern that functions/policies are being operated in a discriminatory manner?</p> <p>0 none, 1 a little, 2 some, 3 a lot.</p>
<p>1. Inspection</p> <p>Regulate centres to ensure compliance with legal standards and code of practice in the provision of ART treatments.</p> <p>Regulate research centres to ensure compliance with legal standards and code of practice</p>	<p>1, 2, 3, 5</p>	<p>ensure that applicable diversity standards are met, e.g. accessibility of services for people with a disability; that NHS clinics are aware of their Trust's diversity scheme and action plan and apply as applicable to their area.</p> <p>Through patient questionnaires gather information on accessibility of clinic services to all different communities</p>	<p>3</p>	<p>2</p>
<p>Ensure that PRs are aware of their</p>	<p>1,2,3</p>	<p>Need to ensure that standards and</p>	<p>3</p>	<p>1</p>

² 1) eliminating discrimination and/or harassment; 2) promoting equal opportunities; 3) promoting positive attitudes towards disabled people; 4) promoting involvement in public life; 5) taking steps to meet disabled people's needs

<p>clinic's responsibilities under E&D legislation and are competent in carrying this out</p> <p>Clinical governance and patient safety, including patient complaints</p>	1,2,3	<p>expectations are clear. Build in to criteria for competent PRs</p> <p>Monitor for evidence of discriminatory treatment in provision of services. Ensure this is fed back into the inspection process.</p>	2	2
<p>2. Policy</p> <p>Policy development Consultations</p> <p>Code of practice</p> <p>Advising government on emerging scientific research and technologies</p>	1,2,4	<p>PGD – <i>concerns that decisions may have negative impact on the promotion of disability as a positive life experience.</i></p> <p>Need to develop equality impact assessments (EIAs) to inform policy work – <i>All groups</i></p> <p>Ensure Code of Practice positively promotes requirement for good practice in the promotion of diversity issues for all centres (private as well as public)</p> <p>Review of HFE Act – lobby government to eliminate inconsistencies between HFE Act and equalities legislation</p>	3 3 3 3	<p>2 Some ethical concerns voiced regarding PGD</p> <p>Treatment is expensive, excluding large sections of society.</p>

<p>3. Communication and public involvement Internal Communications Publications Website Management Patients' enquiries</p> <p>Events management</p> <p>HFEA's patients' panel</p> <p>Media</p>	<p>1, 2,3,4,5</p> <p>2,4</p> <p>4</p> <p>2,4,5</p>	<p>Ensure information communicated in a variety of ways. Avoid complete reliance on written communication (website, email, leaflets). AAA compliance. <i>People with visual impairment or reading difficulties, e.g. dyslexia</i></p> <p>Ensure facilities provided to meet different needs, accessibility, diet <i>People with disabilities</i></p> <p>Wider base of panel members Ensure accessibility for all potential members <i>People with disabilities</i></p> <p>Promotion of HFEA work and information to different communities, using community or specialist press, <i>People with disabilities</i></p>	<p>3</p> <p>2</p> <p>3</p> <p>3</p>	<p>2 - Mostly relates to patient concerns over access to treatment</p>
<p>4. Information & Register Provision of IT systems (Register, EDI, Centrepede, CRM, HR systems, etc) Maintenance of Register Statistical information, analysis of data FOI and data protection requests</p>	<p>1, 3, 5</p>	<p>To ensure that information is captured and inputted and systems developed to enable analysis of data Analysis of equalities data</p>	<p>2</p>	<p>1 limited concerns raised in any of these areas</p>

Opening the Register	2	Provision of information for donor conceived people.	1	
5. Employment functions and policies All policies to be compliant, but specific focus as relates to disability for the following:				
Absence/Sickness	2, 3, 5	To be aware of issues relating to disability. Also special leave as relates to carer responsibilities	Evidence of relevance is high (3) for all assessments – as they relate explicitly to discrimination legislation	1 - Some limited issues around harassment and bullying flagged up through staff survey and grievances/exit interviews (informal/formal). Some concern on fairness of access training from last staff survey and one exit interview. Very little other evidence of discriminatory
Dignity at Work	1, 2, 3	Bullying, harassment and victimisation cover the full range of discrimination laws. Need to develop zero tolerance approach to tackle issues from external sources		
Discipline	1	Need to monitor for adverse application of policy across all groups		
Equal Opportunities	1, 2, 3, 5	Applies across the full range of discrimination laws		
Flexible working	2, 5	Need to monitor for adverse application of policy across all groups. May be a 'reasonable adaptation'		
Grievance	1	Need to monitor for adverse application of policy across all groups		

Induction and Probation	2	Minimal impact - need to monitor for adverse application of policy across all groups		activity either through monitoring the application of policies and functions or from formal complaints – internally or from members of the public (e.g. job applicants)
Performance Management	1, 2	Need to monitor for adverse application of policy across all groups. To monitor box marking and PRP.		
Recruitment & Selection	1, 2, 3, 5	Need to monitor for adverse application of policy across all groups. To be aware if impacts at all stages: job description/person specification, job evaluation, advertising, shortlisting, interviewing, salary, health clearance, references, work permits. ✓✓ criteria		
Training & Study Leave	1, 2	Need to monitor for adverse application of policy across all groups. Monitor access to and take up of training opportunities		
HR Functions (not related to policies listed above) Contracts / Staff Handbook / Benefits including EAP, Familylife Solutions, Childcare vouchers	1, 2, 3, 5	Need to monitor for adverse application of contractual entitlements and/or benefits across all groups. To ensure that benefits promote good work/life balance and support for people with disabilities.		

Change management, including redeployment and redundancy	1, 5	Need to monitor for adverse application of policy across all groups. Redeployment should support keeping people with disabilities within the workplace, where unable to continue on their current role.		
Staff Surveys	2, 3	Mechanism to monitor for adverse application of policies, attitudes and active promotion of range of issues across all groups.		
Staff Forum	2	Mechanism to discuss issues and to develop and promote positive actions.		
Temporary staffing - agencies	1, 2	To review contracts/SLAs to ensure commitment to HFEA equality standards are included and adhered to		
6. Other Finance Budget preparation	1,2	Long term sick pay accounted for within central budget. Long term sick requirements may apply to certain disabilities. Central budgeting ensures that staff are treated equitably across different departments and decisions on how individuals are treated are not based on individual budget constraints.	1	0

Facilities				
Building management, include space planning	1,5	Building accessible and compliant with DDA standards	3	1
Switchboard		No minicom/textphone system – affects deaf/hard of hearing	3	
Health & safety		Risk assessments Eye tests Procurement of equipment to meet requirements for 'reasonable adjustments'	3	

5. Gender Equality Scheme

(i) The Legal Context

The draft **Equality Act 2006** amends the Sex Discrimination Act 1975 to place a legal **General Duty** on all public bodies, when carrying out their functions, to have due regard to the need to:

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

The general duty is supported by **Specific Duties** one of which is that listed public authorities produce a Gender Equality Scheme. As part of this scheme organisations must set out its arrangements to:

- identifying their gender equality goals and action to meet them, in consultation with employers and stakeholders
- Monitor and review progress
- Review the scheme every three years
- Develop, publish and regularly review an equal pay policy, including measures to address promotion, development and occupational segregation
- Conduct and publish gender impact assessments of all legislation and major policy developments and publish their criteria for conducting such impact assessments

In addition under the specific duties, listed organisations are required to

- Monitor employees and applicants for employment, training and promotion
- Monitor employees who receive training, benefit or suffer detriment from performance assessment, are involved in grievances, who have disciplinary action taken against them, or who leave employment
- Publish employment monitoring results annually

The new gender equality duties are due to be implemented from April 2007.

(ii) Transsexual and Transgender Persons

- Transsexual people are protected from discrimination and harassment on the grounds of gender reassignment in employment and vocational training under existing sex discrimination legislation
- Gender reassignment discrimination and harassment in access to goods and services will also be unlawful from late 2007.
- There is no current protection for people who define themselves as transgender but do not meet the legal definition of transsexual (e.g. living as a member of the opposite sex without intending to undergo medical gender reassignment)

(iii) Analysis of the key functions, policies or processes of the HFEA which apply to the General Duty under the Gender Equality Act 2006

	Is it relevant to the general duty?		What is the degree of relevance?	
<p><i>This assessment has been carried out using the assessment grid set out in the Commission for Racial Equality's 'Guide for Public Authorities on the duty to promote race equality' (amended)</i></p> <p>Functions and related policies</p>	<p>Which of the aspects does it relate to (if any):</p> <p>1,2³</p>	<p>Is there evidence or reason to believe that different groups could be differentially affected?</p> <p>Which groups are affected and how?</p>	<p>How much evidence do you have?</p> <p>0 none, 1 a little, 2 some, 3 a lot.</p>	<p>Is there any public concern that functions/policies are being operated in a discriminatory manner?</p> <p>0 none, 1 a little, 2 some, 3 a lot.</p>
<p>1. Inspection</p> <p>Regulate centres to ensure compliance with legal standards and code of practice in the provision of ART treatments.</p> <p>Regulate research centres to ensure compliance with legal standards and code of practice</p>	<p>1, 2</p>	<p>ensure that applicable diversity standards are met, e.g. NHS clinics are aware of their Trust's diversity scheme and action plan and apply as applicable to their area.</p> <p>Through patient questionnaires gather information on accessibility of clinic services to all different communities</p>	<p>3</p>	<p>2 concerns that some centres will not treat same sex couples, single people (not married)</p>
<p>Ensure that PRs are aware of their clinic's responsibilities under E&D</p>	<p>1,2</p>	<p>Need to ensure that standards and expectations are clear. Build in to</p>	<p>3</p>	<p>1</p>

³ 1) eliminating discrimination and/or harassment?; 2) promoting equal opportunities;

legislation and are competent in carrying this out		criteria for competent PRs		
Clinical governance and patient safety, including patient complaints	1,2	Monitor for evidence of discriminatory treatment in provision of services. Ensure this is fed back into the inspection process.	2	2
2. Policy Policy development Consultations	1,2	Welfare of the Child (need for a father) <i>- affect same sex couples and single applicants</i>	3	2 - Some concerns voiced regarding treatment of same sex couples, welfare of the child and PGD Treatment is expensive, excluding large sections of society.
		PGD — <i>concerns where PGD relates to gender selection (linked to specific disease or disability)</i>	3	
		Need to develop equality impact assessments (EIAs) to inform policy work – <i>All groups</i>	3	
Code of practice		Ensure Code of Practice positively promotes requirement for good practice in the promotion of diversity issues for all centres (private as well as public)	3	
Advising government on emerging scientific research and technologies		Review of HFE Act – lobby government to eliminate inconsistencies between HFE Act and equalities legislation	3	

<p>3. Communication and public involvement Internal Communications Publications Website Management Patients' enquiries</p> <p>HFEA's patients' panel</p> <p>Media</p>	<p>1, 2</p> <p>2</p> <p>2</p>	<p>Ensure information communicated in a variety of ways. Examples and case studies reflect same sex couples and single parents</p> <p>Wider base of panel members</p> <p>Promotion of HFEA work and information to different communities, using community or specialist press, <i>Gay and lesbian communities</i></p>	<p>3</p> <p>3</p> <p>3</p>	<p>2 - Mostly relates to patient concerns over access to treatment</p>
<p>4. Information & Register Provision of IT systems (Register, EDI, Centrepede, CRM, HR systems, etc) Maintenance of Register Statistical information, analysis of data FOI and data protection requests</p> <p>Opening the Register</p>	<p>1</p> <p>2</p>	<p>To ensure that information is captured and inputted and systems developed to enable analysis of data Analysis of equalities data</p> <p>Provision of information for donor conceived people.</p>	<p>2</p> <p>1</p>	<p>1 - limited concerns raised in any of these areas</p>
<p>5. Employment functions and policies All policies to be compliant, but specific focus as relates to race for the following</p> <p>Absence/Sickness</p>	<p>2</p>	<p>Covers special leave as relates to mat</p>	<p>Evidence of</p>	<p>1 - Some limited issues</p>

Dignity at Work	1, 2	etc and carer responsibilities Bullying, harassment and victimisation cover the full range of discrimination laws. Need to develop zero tolerance approach to tackle issues from external sources	relevance is high (3) for all assessments – as they relate explicitly to discrimination legislation	around harassment and bullying flagged up through staff survey and grievances/exit interviews (informal/formal). Some concern on fairness of access training from last staff survey and one exit interview. Very little other evidence of discriminatory activity either through monitoring the application of policies and functions or from formal complaints – internally or from members
Discipline	1	Need to monitor for adverse application of policy across all groups		
Equal Opportunities	1, 2	Applies across the full range of discrimination laws		
Flexible working	2	Need to monitor for adverse application of policy across all groups. May impact more on women as primary carers.		
Grievance	1	Need to monitor for adverse application of policy across all groups		
Health & Safety	1	Areas relating to discrimination laws likely to be in areas relating to maternity risk assessment and breast feeding		
Homeworking	2	Minimal impact - need to monitor for adverse application of policy across all groups		
Induction and Probation	2	Minimal impact - need to monitor for		

		adverse application of policy across all groups		of the public (e.g. job applicants)
Maternity, Adoption, Paternity & Parental leave	1	Impacts relate to gender and sexual orientation laws		
Overtime	0	Minimal impact. To note, proportionately more women can access overtime as proportionately more women in Bands 1 & 2		
Performance Management	1, 2	Need to monitor for adverse application of policy across all groups. To monitor box marking and PRP.		
Recruitment & Selection	1, 2	Need to monitor for adverse application of policy across all groups. To be aware if impacts at all stages: job description/person specification, job evaluation, advertising, shortlisting, interviewing, salary, health clearance, references, work permits.		
Training & Study Leave	1, 2	Need to monitor for adverse application of policy across all groups. Monitor access to and take up of training opportunities		

<p>HR Functions (not related to policies listed above) Contracts / Staff Handbook / Benefits including EAP, Familylife Solutions, Childcare vouchers</p> <p>Change management, including redeployment and redundancy</p> <p>Staff Surveys</p> <p>Staff Forum</p> <p>Temporary staffing - agencies</p>	<p>1, 2</p> <p>1</p> <p>2</p> <p>2</p> <p>1, 2</p>	<p>Need to monitor for adverse application of contractual entitlements and/or benefits across all groups. To ensure that benefits promote good work/life balance.</p> <p>Need to monitor for adverse application of policy across all groups.</p> <p>Mechanism to monitor for adverse application of policies, attitudes and active promotion of range of issues across all groups.</p> <p>Mechanism to discuss issues and to develop and promote positive actions.</p> <p>To review contracts/SLAs to ensure commitment to HFEA equality standards are included and adhered to</p>		
<p>6. Other Finance Budget preparation</p>	<p>1,2</p>	<p>Maternity pay accounted for within central budget. Affects women & pregnant women in particular. Central budgeting ensures that staff are treated equitably across different departments and decisions on how individuals are treated are not based on individual budget constraints.</p>	<p>1</p>	<p>0</p>

6. Sexual Orientation Equality Scheme

(i) The Legal Context

The ***Employment Equality (Sexual Orientation) Regulations 2003*** outlaw discrimination in employment and vocational training on grounds of sexual orientation. This includes recruitment, terms and conditions, promotions, transfers, dismissals and training. The Directive makes it unlawful for the HFEA to:

- discriminate directly against anyone, that is, to treat them less favourably than others because of their sexual orientation;
- discriminate indirectly against anyone, that is, to apply a criterion, provision or practice which disadvantages people of a particular sexual orientation without a good reason;
- subject someone to harassment. Harassment is unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them;
- victimise someone because they have made a complaint or allegation or have given evidence against someone else in relation to a complaint or discrimination on the grounds of sexual orientation;
- discriminate against someone in some circumstances after the working relationship has ended.

The Employment Equality (Sexual Orientation) Regulations 2003 have been amended to take account of the introduction of civil partnership. Parliament has approved the amendments, which took effect on 5 December 2005 - the date that the Civil Partnership Act came into force.

The Sexual Orientation Regulations apply to discrimination on grounds of orientation towards persons of the same sex (lesbians and gays), the opposite sex (heterosexuals) and the same and opposite sex (bisexuals). They cover discrimination on grounds of perceived as well as actual sexual orientation (i.e. assuming - correctly or incorrectly - that someone is lesbian, gay, heterosexual or bisexual). The Regulations also cover association, i.e. being discriminated against on grounds of the sexual orientation of those with whom you associate (for example, friends and/or family).

7. Age Equality Scheme

(i) The Legal Context

The **Employment Equality (Age) Regulations 2006** relate to employment and occupation only. This includes recruitment, terms and conditions, promotions, transfers, dismissals and training. The Directive makes it unlawful on the grounds of age for the HFEA to:

- discriminate directly against anyone, that is, to treat them less favourably than others because of their age;
- discriminate indirectly against anyone, that is, to apply a criterion, provision or practice which disadvantages people of a particular age without a good reason;
- subject someone to harassment. Harassment is unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them;
- victimise someone because they have made a complaint or allegation or have given evidence against someone else in relation to a complaint or discrimination on the grounds of age;
- discriminate against someone in some circumstances after the working relationship has ended

The Age Regulations:

- determine a new default retirement age and give employees the right to request working beyond this. Employers have obligations to consider such requests and have appropriate appeals mechanisms in place;
- remove the upper age limit for unfair dismissal and redundancy rights, giving older workers the same rights to claim unfair dismissal or receive a redundancy payment as younger workers, unless there is a genuine retirement;
- allow pay and non-pay benefits to continue which depend on length of service requirements of 5 years or less or which recognise and reward loyalty and experience and motivate staff;
- remove the age limits for Statutory Sick Pay, Statutory Maternity Pay, Statutory Adoption Pay and Statutory Paternity Pay, so that the legislation for all four statutory payments applies in exactly the same way to all;
- remove the lower and upper age limits in the statutory redundancy scheme, but leave the current age-banded system in place.
- provide exemptions for many age-based rules in occupational pension schemes (they are contained in Schedule 2 to the Regulations)