

**BERR**

Department for Business  
Enterprise & Regulatory Reform

**REVISED DTI RACE EQUALITY  
SCHEME FOR THE DEPARTMENT  
FOR BUSINESS, ENTERPRISE &  
REGULATORY REFORM**

June 2006

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## Revised BERR Race Equality Scheme 2007 – 2008

**Statement from John Hutton, Secretary of State for Business Enterprise & Regulatory Reform and Brian Bender, DTI Permanent Secretary.**

We are delighted to have revised the former DTI's Race Equality Scheme to reflect the creation of the new Department for Business Enterprise & Regulatory Reform. We are committed to ensuring that this department meets its obligations to Race Equality and as such this scheme sets out how we will meet our statutory duties under the Race Relations (Amendment) Act 2000.

BERR's overall objective is to work to create the conditions for business success through competitive and flexible markets that create value for businesses, consumers and employees. It drives regulatory reform, and works across Government and with the regions to raise levels of UK productivity.

But in order to achieve this we must appreciate our diverse society and this department's policy and service delivery must take account of the needs of and impacts on all those in our communities.

This revised Race Equality Scheme is re-focused with the aim to make race equality a fundamental consideration in the delivery of our objectives to ensure equality across the department and in all the policy and services that we deliver.



The Rt. Hon John Hutton



Sir Brian Bender

## DTI Race Equality Scheme 2006 – 2008

### **Joint statement from Alistair Darling, Secretary of State for Trade and Industry, and Brian Bender, DTI Permanent Secretary**

We are delighted to be introducing the Department's second Race Equality Scheme, which sets out how we will meet our statutory duties under the Race Relations (Amendment) Act 2000.

The DTI is working to create the conditions for business success and help the UK respond to the challenge of globalisation. We champion successful UK business at home and abroad. We promote world-class science and technology. We protect the rights of working people and consumers. And we stand up for fair and open markets in the UK and across the world.

But we cannot achieve these objectives without recognising and celebrating today's diverse society. Government policy and service delivery must take account of the needs of and impacts on all those in our communities. For the DTI, this can contribute to higher levels of entrepreneurship, greater social inclusion and a more globally competitive and productive UK economy.

Through this Race Equality Scheme, we aim to make race equality considerations an integral part of the way we in DTI, including our Executive Agencies, deliver our objectives. By doing this we can help to ensure high quality policies and services and that all our people are valued and treated fairly.



The Rt. Hon Alistair Darling



Sir Brian Bender

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## Section 1

### Introduction

Welcome to BERR's Race Equality Scheme. Since publication of the first Scheme in 2002, the department has undergone significant organisational change. This is a revision of the DTI's Race Equality Scheme published in 2006 and considers the work of BERR in the context of the public duties enshrined in the Race Relations (Amendment Act) 2000 to ensure that we are reaping maximum benefits from making race equality an integral part of our policy making, service delivery and employment practices.

#### **Summary of key organisational changes – from DTI to BERR**

- A new re-focused department on 28 June 2007 with a new statement of purpose: Creating the conditions for business success and helping the UK respond to the challenge of globalisation
- Changes in the corporate governance structure and Departmental leadership
- Reduction in headcount from 5000 to 2560 staff following the Lyons and Gershon reviews and Machinery of Government changes
- The Better Regulation Executive and the Shareholder Executive transferred from Cabinet Office to BERR
- The Office of Science and Innovation transferred to the new Department for Innovation, Universities and Skills (DIUS) along with responsibility for the Research Councils, the UK Intellectual Property Office, the new Technology Strategy Board and the National Weights and Measures Laboratory, the Council for Science and Technology, the Design Council and related organisations that were all formerly part of the DTI family.
- Finance and Strategy Groups were integrated to bring these functions closer
- British Trade International changed its name to UK Trade and Investment (UKTI)
- Companies Investigation Bureau merged with the Insolvency Service
- A new unified Tribunal Service superseded the Employment Tribunal Service and is now the responsibility of the Department for Constitutional Affairs
- The Women and Equality Unit transferred to the Government Equalities Office based in the Department for Work and Pensions.

Our organogram and details of who's who in BERR are published on the BERR website ([www.berr.gov.uk](http://www.berr.gov.uk)) in the About Us section.

## Section 2

### Our Work

BERR's overall objective is to work to create the conditions for business success through competitive and flexible markets that create value for businesses, consumers and employees. It drives regulatory reform, and works across Government and with the regions to raise levels of UK productivity.

In the face of continuing globalisation, it is the success of business that will underpin wealth creation and opportunity for all. Britain must continue to develop a business environment that actively promotes business success, by enabling a more dynamic, flexible and competitive economy in which business, consumers and employees can make the most of the opportunities from global markets and can best respond to future challenges.

The new Department will ensure a renewed focus from central Government on these important challenges. It will ensure that there is a Department in Government which has a deep and effective engagement with the business community, with the ability to promote the productivity and competitiveness agenda across critical policy areas and to deliver a radical programme of regulatory reform for the business, public and third sectors.

For more information on our work, visit [www.berr.gov.uk/about/index.html](http://www.berr.gov.uk/about/index.html).

### BERR's Executive Agencies

BERR is responsible for the following Executive Agencies:

**Companies House** ([www.companies-house.gov.uk](http://www.companies-house.gov.uk)), the main functions of which are to:

- incorporate and dissolve limited companies;
- examine and store company information delivered under the Companies Act and related legislation; and
- make this information available to the public.

**The Insolvency Service** ([www.insolvency.gov.uk](http://www.insolvency.gov.uk)), which:

- administers and investigates the affairs of bankrupts, of companies and partnerships wound up by the court, and establishes why they became insolvent;
- acts as trustee/liquidator where no private sector insolvency practitioner is appointed;
- acts as nominee and supervisor in fast-track individual voluntary arrangements;
- takes forward reports of bankrupts' and directors' misconduct;

- o deals with the disqualification of unfit directors in all corporate failures;
- o deals with bankruptcy restrictions orders and undertakings;
- o authorises and regulates the insolvency profession;
- o assesses and pays statutory entitlement to redundancy payments when an employer cannot or will not pay its employees;
- o provides banking and investment services for bankruptcy and liquidation estate funds;
- o advises BERR ministers and other government departments and agencies on insolvency, redundancy and related issues;
- o provides information to the public on insolvency and redundancy matters via its website, publications, Insolvency Enquiry Line and Redundancy Payments Helpline; and
- o conducts confidential fact-finding investigations into companies where it is in the public interest to do so. Companies Investigation Branch carries out these enquiries.

In April 2007, the Small Business Service, which formally held Executive Agency status, became a policy unit within BERR called the Enterprise Directorate. Its work is therefore covered under BERR's main objectives.

BERR also has joint responsibility with the Foreign Office for **UK Trade and Investment (UKTI)** ([www.uktradeinvest.gov.uk](http://www.uktradeinvest.gov.uk)), which supports companies in the UK doing business internationally and overseas enterprises seeking to set up or expand in the UK. It does this by helping companies realise their international business potential through knowledge transfer and on-going partnership support.

#### Assessing our work for relevance to the general race equality duty and action planning

BERR must assess its functions, policies and proposed policies, and those of its Executive Agencies, for relevance to the general duty imposed by the Race Relations (Amendment) Act 2000. This requires public bodies to promote race equality by:

- o eliminating unlawful racial discrimination;
- o promoting equality of opportunity between persons of different racial groups; and
- o promoting good relations between persons of different racial groups.

The relevance of BERR's work to the general duty was assessed against the Department's Business Plan for 2005 - 2008.

BERR's established business planning system provides the basis for achieving our objectives. This is supported by a robust accountability structure that reaches all levels of the organisation, from the individual's personal objective setting to the Executive Board and Permanent Secretary. The current Business Plan runs from 2006 – 2008. It contains 12 delivery

Objectives and five enabling Objectives, each owned by an Executive Director. Detailed Objective Delivery Plans for each objective are refreshed annually on a rolling basis and reporting is managed via a quarterly scorecard system. A central Business Planning Team manages the whole process. The full business plan is on the BERR website at [www.berr.gov.uk/about/strategy-objectives/Business-Plans/page12611.html](http://www.berr.gov.uk/about/strategy-objectives/Business-Plans/page12611.html)

To assess the overall relevance of our objectives a detailed exercise was undertaken with Objective Delivery Secretaries, supported by Executive Directors, Directors General and the Permanent Secretary. Objective Delivery Secretaries and their colleagues considered the following questions:

- o Will the activity help DTI (and subsequently BERR) meet the general duty to eliminate unlawful racial discrimination, promote equality of opportunity, and promote good relations between people of different racial groups?
- o Is there any evidence or reason to believe that the activity is affecting/could affect racial groups differently, including by presenting an adverse impact?
- o Is there any evidence of external/internal stakeholder concern that the activity could have/is having an adverse impact on some racial groups, or that its delivery could prove discriminatory?

Each Objective was accordingly given a rating of low, moderate or high relevance. On the basis of this, details of actions already planned or actions needed to ensure relevant activities take account of race equality issues were collated. In addition, to ensure we were capturing all relevant work, Objectives deemed of low overall relevance were scanned for any pockets of activity that could be of moderate or high relevance and actions planned accordingly.

BERR's Executive Agencies have their own corporate plans. The relevance of their work has been mapped according to their own specific objectives using the same framework as for the former DTI. This is with the exception of UKTI, which is covered by Objective 8 of the Department's Business Plan.

### Results of the Assessment Exercise

The results of this exercise for the former DTI and its Agencies and timetabled actions planned in each area are contained in the Annex to this Scheme. A number of themes can be identified, including:

- o access to information, including availability of publications in languages other than English (see Section 3);
- o public appointments: our Departmental Appointment Plan ([www.BERR.gov.uk/about/aboutus/public-appointments/index.html](http://www.BERR.gov.uk/about/aboutus/public-appointments/index.html)) contains our policy on equality and diversity in public appointments. More detail can be found on page 16 of the Annex. Specific activities

- to reach out to a more diverse recruitment pool in particular areas of our work are highlighted in the relevant sections of the Annex, for example, appointments to Regional Development Agency Boards;
- reaching all our customers: using consultation and impact assessment to ensure our policies have the impact that was originally intended, and make a positive impact on the broadest range of people (see Section 3).

Our functions and policies, and proposed policies, will be reviewed in May 2008.

## Section 3

### Involving and communicating with our stakeholders, impact assessment and monitoring

Promoting better policy-making principles is essential to delivering a 'better regulation' environment based on sound evidence and analysis. Involving and communicating with our stakeholders in the policy-making process is fundamental to BERR's reputation and for expert, responsive policy making. Without the trust and confidence that can only be gained through productive relationships with stakeholders, our effectiveness at securing support for changes to the business environment - either through changes to the law or influencing to bring about change through alternatives to legislation – is limited. This is why BERR is fully committed, at all levels, to ensuring that our policies take full account of the views of and impacts on a wide range of stakeholders and communities. Evaluation and monitoring are also important to make sure we learn lessons, capture best practice and maintain relevant and effective policies and services. Our Better Policy Making Culture Change Strategy will ensure that better policy-making principles underpin all our policy-making activity so that all BERR teams meet the standards of our best.

### Consultation

Our Better Policy Making intranet and consultation support help to ensure that policy makers are equipped with the knowledge and information they need to consult effectively with all groups in society, including ethnic minorities. Detailed intranet guidance takes staff through relevant steps, including planning a consultation, identifying the audience, managing risks and different consultation methods (including engaging hard to reach and overlooked audiences). It also provides examples of good practice and advises staff how we can do better than the minimum. BERR's Consultation Co-ordinator gives specific advice to policy makers on consultation best practice and investigates complaints about consultation procedure brought under the Cabinet Office Code of Practice on Consultation. The Co-ordinator's details are included in all consultation documents published by BERR. Better Policy Making guidance is supplemented with a Toolkit for the Equality Duties, including race, providing specific guidance on reaching out to different groups in society, case studies and more. The Toolkit is available to our Executive Agencies. Section 5 contains more detail about the Toolkit.

Consultations and government responses to them are published on the BERR website at [www.berr.gov.uk/consultations/index.html](http://www.berr.gov.uk/consultations/index.html). Feedback and results may also be communicated in different ways as part of the policy making process, for example by using focus or stakeholder groups.

## Access to information and services

BERR is committed to providing information and services that are accessible to all. The public can access consultations, press releases, details of our services, corporate documents and a wide range of publications on the BERR website. BERR is working towards achieving World Wide Web Consortium (W3C) Web Accessibility Initiative (WAI) AA Standard. These Standards are designed to ensure that the web is available to all people, whatever their hardware, software, network infrastructure, native language, culture, geographical location or physical or mental ability. An email address is provided to enable customers to provide feedback on any accessibility issues relating to the website.

More generally, information held by BERR is subject to the access provisions of the Freedom of Information Act 2000.

BERR documents may be produced at the Department's discretion and subject to demand in languages other than English. This also applies to other formats, such as Braille, video, textphone, audio-cassette, CD and large print. The Department's Better Policy Making intranet site contains guidance on this in the section "Reaching all our Customers".

Examples of material published or planned in other languages in particular areas of the former DTI's work, BERR's work and that of its Agencies can be found in the Annex. These include employee rights information and leaflets on the digital television switchover.

Our publication scheme, drawn up under Section 19 of the Freedom of Information Act, and links to those of our Executive Agencies and UKTI, can be found at <http://www.berr.gov.uk/about/accessing-our-info>. Publication schemes set out the information a public authority statutorily commits to publish. A listing of BERR's currently available publications is on the BERR website at <http://www.berr.gov.uk/publications>.

BERR seeks to identify the information and service needs of different stakeholders and the experiences of those who use our information and services in a variety of ways, for example, through evaluation exercises and customer surveys.

### Case studies on access to information and services

- The Insolvency Service website currently provides publications in Urdu and Cantonese. Bangladeshi versions will be added soon and its six most popular leaflets are translated onto audiotape and available nationally. In addition, the Insolvency Service Technical Manual has details on how to deal with customers with special needs and those requiring translation or interpreters' services. Customers can bring their own help to interviews,

or if they cannot come to Insolvency Service offices, we offer interviews at home or over the telephone.

- o Business Link launched a national advertising campaign in early 2006 to raise awareness of the services it can offer. Adverts were featured in thirty ethnic media titles, as well as the mainstream national press.

## Impact Assessment

A strong evidence base is vital to ensure good, fit-for-purpose policy. BERR's Better Regulation Team supports the Department by providing advice and guidance (based on that of the Better Regulation Executive) in producing robust Regulatory Impact Assessments (RIAs) as well as scrutinising them to ensure they meet standards. RIAs are published on our website at [www.berr.gov.uk/consultations/ria/index.html](http://www.berr.gov.uk/consultations/ria/index.html).

Investigating how a policy or service may affect groups in society, including racial groups, differently is an essential part of impact assessment work. Existing guidance on race screening and race equality impact assessment has been reviewed, updated and incorporated into a Toolkit for the Equality Duties, which also covers the Disability and Gender Duties. Drawing on the Commission for Racial Equality guidance, the Toolkit takes staff through the stages of race equality impact assessment step-by-step, providing guidance and signposting on data and research sources, managing consultation and other evidence gathering techniques. More information on the Toolkit can be found in Section 5.

Planned Race Equality Impact Assessments (EQIAs) for specific activities in the former DTI and BERR and our Executive Agencies are detailed in the Annex. EQIAs will be published on the relevant websites within three months of completion. Where an EQIA is carried out in conjunction with an RIA, the EQIA will be clearly distinguishable.

## Monitoring

BERR and its Agencies recognise the importance of monitoring our policies and services for impacts on race equality and obtaining feedback from stakeholders. Only by doing so can we guard against adverse impacts, ensure our policies deliver as intended and improve service delivery. As part of the recent exercise to assess policies and functions for relevance and plan actions accordingly, staff were asked to specify how they were monitoring, or would plan to monitor, impacts of relevant activities on different racial groups. Details of monitoring activities in specific areas are in the Annex.

A variety of methods and systems are used to monitor service delivery by ethnicity. These are designed to suit the policy or service, taking into account proportionality considerations. Any adverse impacts identified through routine monitoring will be explored appropriately.

To help us ensure we monitor effectively, we have reviewed and updated guidelines first issued in 2003 and have incorporated them into the Toolkit for the Equality Duties. This includes advice on different monitoring methods - for example, statistical analysis, qualitative analysis and customer surveys - and possible courses of action if adverse impact is identified.

Details of how we monitor our employment practices by ethnicity and what we would do if the resulting data presented adverse impact are in Section 4.

Examples of how our Executive Agencies monitor, or plan to monitor, service delivery to ensure continuous improvement:

Companies House carries out a Quarterly Customer Satisfaction Survey, annual Mystery Shopper reviews, customer focus group meetings via Customer Care Managers and road shows/customer seminars.

The Insolvency Service carries out ad hoc and regular surveys of customers to ask questions about the service they received, both via the website and by staff. This can include diversity questions. Feedback is also invited on customer comments cards on the adequacy of information. Insolvency Service also asks all insolvents to complete an ethnicity questionnaire (voluntarily) upon application to the Official Receiver for insolvency procedures.

## Section 4

### Our people

#### **BERR Diversity Statement**

We believe that every employee should be treated with openness, honesty and respect. We won't tolerate unfair treatment or discrimination. We want to be an organisation that people are proud to be part of.

We aim to have a workforce that reflects the diverse community that we serve.

We value and make the best use of the diversity of talent in BERR so that our people fulfil their potential and enable the department to deliver its vision.

This statement heads up the former DTI's Diversity Strategy launched in 2006. This Strategy will help BERR achieve the aims of the Civil Service 10 Point Plan produced by Cabinet Office in 2005. We are particularly focussing on accelerating progress towards increased visible diversity at senior levels of the Civil Service and integration of key actions in the Strategy into our people management and business processes. Some of the key actions in the Strategy, which will be made available on our website during 2006, include:

- Improving the diversity of the SCS
- Improving the diversity of the SCS feeder grades
- Improving the progression of the workforce in our lower grades
- Improving line management capability
- Improving employee awareness of diversity issues
- Mainstreaming the diversity agenda for cost effective delivery

BERR leaders are fully committed to delivering these actions for the benefit of the organisation and all BERR employees. The Permanent Secretary fulfils the role of Diversity Champion and his role is complemented by a Director General who assists in this, for example by representing the Department at Civil Service Diversity Champion Network meetings and ensuring that the Department pushes ahead with this agenda. Regular reports will be provided to the BERR Executive and to the Management Board, headed by the Permanent Secretary, to assess our progress.

Our staff advisory groups on race, disability and sexual orientation are key stakeholders in all our work on these policies. The Department is in the forefront of working with staff advisory groups. In addition to the three groups mentioned, a group on multi-faith issues has been established. There are also active groups within the business units advising the Permanent Secretary and the Department on issues that affect particular groups of staff; for example a group looking at flexible working and a "ginger group" based in our Legal Services Group that regularly hosts events on a wide range of diversity topics.

A strong commitment to diversity and equality policies in the former DTI and now in BERR is not new. The Department has long been a keen advocate of helping all staff reach their potential and ensuring fair treatment for all. Some of our achievements in this area include:

- o Second in the Race for Opportunity Public Sector category in 2005
- o Platinum award from Opportunity Now (gender) benchmarking in the 2003 and 2004
- o Seventh best employer of choice by Stonewall (sexual orientation) in 2005.
- o Investors in People reaccreditation in March 2006.

Our Executive Agencies have their own diversity policies and are equally committed to valuing staff and ensuring fair treatment. Companies House's Diversity Forum Group acts as a pro-active group of people who are responsible for ensuring that diversity is mainstreamed as a key part of working life.

The Insolvency Service's Diversity Group consists of volunteer members from a cross-section of staff. It was set up to increase the visibility, awareness and understanding of diversity and is consulted about diversity matters where changes are made to policies and initiatives. The Insolvency Service is looking at how well it is doing in relation to valuing diversity, by using the Diversity Excellence Model (an evaluation tool) with the National School of Government. The tool will assist in working out what level they are at, identify an action plan for improvement, and allow the Service to benchmark itself against other organisations. It is also planning an outreach programme to encourage recruitment from all minority communities to ensure its workforce reflects the communities it serves.

### Meeting the Employment Duty

This specific duty requires public bodies to monitor, by reference to the racial groups to which they belong:

- (a) the numbers of –
  - (i) staff in post; and
  - (ii) applicants for employment, training and promotion, from each such group; and
  
- (b) where that body has 150 or more full-time staff, the numbers of staff from each such group who -
  - (i) receive training;
  - (ii) benefit or suffer detriment as a result of its performance assessment procedures;
  - (iii) are involved in grievance procedures;
  - (iv) are the subject of disciplinary procedures; or
  - (v) cease employment with that body.

The Duty requires public bodies to publish annually the results of this monitoring.

BERR is committed to complying with the Employment Duty. The former DTI (including UKTI) had for some years monitored numbers of staff in post and applications for employment, training and promotion, which is something BERR will continue.. This information has been available internally and externally in the Department's diversity reports (although no report was produced for 2004) in response to various benchmarking exercises and in reply to Parliamentary Questions.

The Department recognises the need to improve the percentage of staff that declare ethnic origin to the Department. Currently this is less than 50% of staff. As part of our Diversity Strategy we want to improve the quality of this data in order to provide better information and to be able to demonstrate whether progress is being made. At present, staff are asked to declare ethnic origin via our IT-based Corporate and Local Integrated Personnel System (CALIPSOE) and when completing the annual online staff survey.

During Quarter 2 of 2006, we will consult other organisations to see what has worked for them in increasing declaration rates. We will better publicise the purpose of collating employment data by ethnicity across the Department and how it is used in order to help people see the value of participation. This will be done via the diversity awareness training, which we aim to be delivered to all staff during 2006/7, through a notice to all staff placed on the intranet's Noticeboard in September 2006 and by reminding all staff when they are asked to complete the annual staff survey in late 2006. Members of the Senior Civil Service will be reminded to declare their own data and to encourage their staff to do the same.

The former DTI and now BERR (including UKTI) monitor the numbers of ethnic minority staff who are involved in grievance and disciplinary procedures. We also monitor the performance assessments and promotion rates of ethnic minority staff and we monitor, by various categories including race, the numbers of staff who cease employment with the Department for whatever reason (resignation, voluntary severance, retirement or dismissal).

All data is published in the Department's Annual Report (the 2006/07 report is published on BERR website at: <http://www.berr.gov.uk/about/strategy-objectives/annual-spending/page40577.html>) and in reports shared with the Departmental Trade Unions and diversity advisory groups.

The Department will use the data to monitor progress towards diversity targets and to openly allow any concerns about race equality to be aired and addressed. Human resources will review on a quarterly basis to determine any impact on the representation of ethnic minority staff, particularly at more senior levels. If the data presents evidence of an adverse impact, we will work with staff groups to address the issues. We will review procedures and

revise where necessary, completing a Race Equality Impact Assessment if appropriate. We will consider whether the training or other activities planned as part of our diversity strategy could help to address the adverse impact and we will ensure that awareness of the issues is high through publicity campaigns and through liaison with diversity advisory groups.

During 2006 -2008 we will consider how the former DTI and now BERR, and its Agencies can ensure full compliance with elements of the Employment Duty where we currently incur difficulties. We will also consider how we can combat concerns over compromising anonymity of ethnic minority staff involved in grievance or discipline procedures through publishing data. These issues will be considered with staff advisory groups and we will seek to share practice with other government departments.

The Insolvency Service monitors recruitment, promotion, training and development, discipline procedures, grievances, discretionary payment and leavers by ethnic group. Specific databases for collection of diversity data retain the information, which is analysed, published in an Equal Opportunities report, and an action plan developed. Companies House publishes staffing and recruitment data, including data on ethnicity, in their annual report.

## Section 5

### Delivering our action plan

To reap maximum benefits and ensure ongoing compliance with the general duty, race equality considerations must be embedded into existing systems and processes. By employing this approach, we can use the accountability and reporting mechanisms that are already built-in to these systems, thereby delivering our action plan in a smarter, more sustainable way. The systems and processes we will use, adapting where necessary, are:

**Business Planning:** Our robust business planning process was explained in Section 2. Future annual business planning guidance will highlight the requirement to review the relevance of race equality to each objective and the activities covered, and plan actions accordingly. We will incorporate a simple reporting mechanism to ensure that regular review of race equality considerations takes place.

**Personal objective setting:** Under BERR's Performance Appraisal and Development Review system, staff are asked to outline how they personally will contribute to higher level or team objectives, as aligned with BERR Business Plan goals. This therefore relates to the business planning accountability structure. In addition, guidance on setting personal objectives asks staff to consider how their work helps the Department to mainstream equality in its policy-making and service delivery and take account of our obligations under the Race Relations (Amendment) Act 2000.

**Project working:** BERR is leading the way on project working in Whitehall. The Project Pool deploys its staff across the Department to work on priority projects. Information and guidance is available for Pool staff on the race equality duty, and incoming duties on gender and disability, and is included in the Pool's training portfolio. We will also use Project Pool communities of practice to share relevant learning, including through case studies, on how we might factor race equality considerations into project planning and policy making, and consider Pool staff objective setting.

**Better Policy Making:** We have made significant progress in mainstreaming better policy making principles into the former DTI's ways of working in recent years. As outlined in Section 3, we have built in consideration of equality issues, including race, as part of consultation and impact assessment and will continue to do so. The better policy making training course run by our main training provider highlights our legislative obligations on race and outlines the benefits of reaching out to all our customers. We have reviewed this element of the course to ensure it is effective.

**Procurement:** Intranet guidelines for BERR staff on procuring goods and services contain a comprehensive section on public procurement and race equality. It includes race equality outcomes that should be expected from any

procurement contract and how and when to build race equality considerations into the whole procurement process.

#### Training staff in the requirements of the general duty on race

Staff are trained using a variety of methods and we are taking action to review and improve some of the training tools currently available. Existing intranet guidance on the general duty on race is being replaced by an intranet-based toolkit designed to guide staff through the requirements on race, gender and disability. It was launched during the first half of 2006 and has been developed further during 2006-07. It sits within the Better Policy Making intranet site. The toolkit will take staff through race equality impact assessment, monitoring, consultation and publication/access to information requirements. It will be publicised widely and we will review its effectiveness periodically. We will also make this tool available to our Executive Agencies during 2006.

As outlined earlier, actions are being taken to introduce or improve role specific training provision for project managers and policy makers. In addition, a new training package on diversity and equality will highlight the need to meet the duty on race equality and forthcoming duties for disability and gender. This will be rolled out during 2006-07.

A variety of communications methods are used to raise awareness amongst all staff of the requirements of the general duty on race and duties on disability and gender including articles in the staff newspaper, briefing on the intranet, seminars and presentations.

In terms of existing training activities in our Agencies, Insolvency Service's diversity training covers staff responsibilities under equality legislation. Companies House covers the requirements of the public duty in diversity awareness, induction and leadership training. Guidance is also provided through their Diversity Manager. UKTI and the agencies mentioned above also have access to BERR's training.

## ANNEX: BERR RACE EQUALITY SCHEME ACTION PLAN

Relevance of BERR's Business Plan objectives and the work of its Agencies to the general Race Equality Duty, relevant activities and actions

### Objective 1: Improve the relative performance of UK science and engineering and its use by Government and society

As a result of the machinery of Government changes on 28 June 2007, responsibility for this objective has transferred to DIUS.

### Objective 2: Promote effective transfer of knowledge to improve UK innovation performance and accelerate business exploitation of science and new and existing technologies

As a result of the machinery of Government changes on 28 June 2007, responsibility for this objective has transferred to DIUS.

### Objective 3: Extend competitive markets by developing free and fair markets across Europe and throughout the world, and by placing empowered and protected consumers at the heart of an effective competition regime

Overall classification: Low but high for consumer-focused work

This objective covers BERR work on reducing the regulatory burden on business from BERR regulations, promoting higher levels of competitiveness in the EU, opening up UK and overseas markets through EU and international negotiations and ensuring the UK framework for competition and consumer empowerment and support is at the level of the best by 2008. The majority of these areas were deemed as being of low relevance to the general race equality duty, except for work on consumer empowerment, which was

assessed as highly relevant reflecting the potential of some activities to have differential impacts on people from different ethnic groups. Work under this objective is the responsibility of Fair Markets Group.

Relevant activities and actions:

Face-to-Face Debt Advice Scheme: Debt advice providers were encouraged to set out in their bids for grant funding details of how they will ensure services are targeted at a range of social groups, including BMEs. The selected bids provide coverage of areas with high BME populations and extra resource has been offered to assist in the provision of advice to these groups, for example, for interpreters. A record of ethnicity for all clients seen will form part of the monitoring framework for the project. These records will be assessed at the interim and the final project evaluation, as well as at project visits made at regular intervals during the funding period, which will run for 24 months with effect from April 2006.

Possible revision of Sunday Trading legislation: We will assess the impacts on race equality of any changes to the existing law and, if Ministers decide to continue with the review, we will publish the results in a partial Regulatory Impact Assessment in mid-June 2006. We will ensure ethnic minority businesses are fully engaged in consultation activities and that their views are taken into account.

Consumer Strategy: A cross-section of various interest and consumer groups was involved in the early consultation phase. Consultees included the Equal Opportunities Commission and various Asian women's groups. We will continue to engage a wide range of stakeholders as this work is implemented.

Consumer Credit Act: Following Royal Assent in March 2006, the implementation will take approximately two years. Race equality issues will be considered as part of the implementation plan and appropriate impact analysis carried out.

Establishment of a Local Better Regulation Office (LBRO): We will factor race equality issues into our consideration of the location for LBRO. In our work on LBRO prioritisation, we are considering ways to ensure that the needs of diverse communities are taken onto account. These race equality issues, and any others that emerge, will be considered as part of the preparation for the proposed Bill in 2007/08. We are aiming to bring the LBRO into operation in 2009.

**Objective 4: Ensure the continuity and security of energy supply at affordable prices through competitive markets, whilst minimising environmental impacts and delivering social objectives**

Overall classification: Low

Energy Group has responsibility for this objective.

Relevant activities and actions: BERR work on fuel poverty helps develop strategic policy (and supporting analysis) across Government (grants and benefits are managed by other Government Departments). As part of a regular exercise, data is collected on fuel poverty by ethnicity. The figures for 2003 have been published on the internet. Work to address any differential impacts of policies is taken forward by members of the Government's Fuel Poverty Advisory Group (FPAG), who work with black and minority ethnic groups. FPAG includes senior representatives from the energy industry, charities and consumer bodies.

**Objective 5: Promote sustainability, including through the delivery of the low carbon aims of the Energy White Paper, at least cost to the UK economy, and improve the contribution of business to sustainable development**

Overall classification: Low

Energy Group has responsibility for this objective.

Relevant activities and actions: None identified. Activities will be reviewed annually.

**Objective 6: Encourage enterprise, growth and business investment**

Overall classification: High

Work under this Objective focuses on increasing the proportion of people considering going into business; raising the level of enterprise, as measured by the rates of self-employment, in disadvantaged communities and amongst women and under-represented

minority ethnic groups; and reducing the percentage of businesses that want to grow reporting difficulties in obtaining finance. A number of the activities detailed below contribute to achieving the former DTIs and now BERR's Public Service Agreement sub-target 10 (i) - Raising the self-employment rates of under-represented minorities relative to that of other groups.

Relevant activities and actions:

Work across BERR and Other Government Departments to deliver the National Employment Panel (NEP) recommendations on enterprise in "Enterprising People, Enterprising Places - Measures to Increase Ethnic Minority Employment and Business Growth". This includes working with Learning and Skills Councils on the development of Centres of Vocational Excellence in Entrepreneurship to ensure policy development takes account of the needs of ethnic minority businesses through the involvement of members of the Ethnic Minority Business Forum (EMBF). The booster survey on access to finance (available Spring/Summer 2006) will also help to influence further discussions with the British Bankers Association and financial intermediaries.

A Community of Interest to share information and best practice on ethnic minority enterprise issues: the community was developed following the "Race for Enterprise" conference and launched in March 2006. This online community has been set up to encourage continued dialogue between the EMBF and stakeholders. It is aimed at practitioners and policy makers at both national and regional level. It will allow users to publish information relating to the ethnic minority enterprise agenda and to learn more about what is happening in other areas. This might include detail of events, good practice examples, or simply accessing and contributing to debate with other members, or giving feedback to the EMBF on their work. The community was launched at the EMBF conference and will be promoted on an ongoing basis through e-newsletters and websites. Success will be measured by usage of the site.

Ethnic Minority Business Forum (EMBF): Support is focused on assisting the EMBF deliver its action plan contained in "The Way Forward" (<http://www.dti.gov.uk/files/file38528.pdf>). The forum published this in December 2005 and took the opportunity of their conference in March 2006 to engage with key players and invite comments on the plan. A conference report will be published in early summer 2006.

BERR's Enterprise Directorate simplification programme to streamline and simplify business support whilst improving the level of service: this work will involve all government departments, regional and local bodies. The programme is at an early stage and we will be

considering race equality issues fully as we develop business support policy. We will work closely with the EMBF and other stakeholders.

**Objective 7: Strengthen regional economies through making sustainable improvements in the economic performance of all the English regions by 2008 and over the long term reduce the persistent gap in growth rates between the regions, demonstrating progress by 2006**

Overall classification: Low - Moderate

BERR's Regions Directorate works in partnership with the Regional Development Agencies (RDAs) and other regional bodies to raise national and regional economic performance by working to promote regional regeneration, investment, skills, training, employment, efficiency and competitiveness. RDAs are required to have their own Race Equality Schemes in place so the overall classification reflects BERR's specific responsibilities under the following two outcomes for this Objective:

- A well-founded framework of European and national arrangements to maximise delivery of regional growth and consistent with Regional Economic Strategies
- Strong, effective and efficient Regional Development Agencies (RDAs)

Relevant activities and actions:

Industrial Development Advisory Board (IDAB) appointments: we will continue to utilise diversity business networks to raise awareness of IDAB and are discussing with recruitment consultants how best to access a more diverse talent pool. The current application form asks candidates to state where they heard about the vacancy and we include an equal opportunities questionnaire in the application pack, which covers ethnicity, gender and disability. These statistics are analysed in relation to the final appointments.

RDA Board Appointments: BERR complies with legislation and guidance on Board Appointments and Independent Assessors sign off the annual recruitment exercises along with the relevant BERR Minister. People specifications for Board Members are sent for consultation to: Commission for Racial Equality; Disability Rights Commission; Equal Opportunities Commission; and Women's National Commission. To raise awareness of the Board positions across diverse groups, we place adverts in the national press (Sunday and

Tuesday Times) and websites of Prowess and Business Professional Women UK (BPWUK). Details are also circulated to the members of the Ethnic Minority Business Forum and we will continue to attend and distribute information at events such as the State of Race Equality in London and The Muslim News Awards for Excellence 2006. The application form asks candidates to state where they heard about the vacancy and we include an equal opportunities monitoring form in the application pack, which covers ethnicity, gender and disability. These statistics are analysed in relation to the final appointments and we will produce a report for BERR Ministers comparing the position at the start of each year with the position at the end of the year. For 2006/07, we the former DTI compared this information for each RDA against national population data for that region to compare applications and appointments against local population mix.

Joint diversity action plans: In each region the Government Office and the RDA produce (and own) a joint diversity action plan, which they are responsible for delivering. The relevant BERR Minister reviews these during the appointments process and seeks regular updates on the progress/success of the action plans, encouraging sharing of best practice between the regions

### **Objective 8: Enhance the competitiveness of companies in the UK through overseas trade and investments; and attract a continuing high level of quality foreign direct investment**

#### Overall classification: Moderate

UK Trade and Investment (UKTI), which leads on this Objective, is a joint BERR/FCO organisation. The moderate rating reflects its activities to encourage and support companies of all sizes to improve their international business performance and to attract foreign investment into the UK.

#### Relevant activities and actions:

UKTI monitors performance against its PSA targets and other performance measures through its newly developed Performance and Impact Monitoring System (PIMS). This includes data relating to the ethnicity and gender of company directors UKTI has assisted. The first set of PIMS results was available in June 2006 and published on UKTI's website. Thereafter, they are reported on an annual basis. PIMS results will allow UKTI to monitor the extent to which there is an increase in the number of currently underrepresented groups

accessing its services as a result of the targeted initiatives undertaken. This, in turn, will provide a robust evidence base to help and inform future policy direction. Examples of targeted initiatives include:

Outreach activities: these are delivered, for the most part, through our regional network and in collaboration with key partners. During 2005, UKTI appointed a number of Regional Diversity Co-ordinators and International Trade Advisors with key responsibility for taking forward the BME business agenda. This includes the appointment of a China Business Manager to explore the Diaspora opportunities from the North East's large Chinese student population.

Sector-focused work: having established a network of BME Education and Training Providers interested in franchising educational services to international markets, the Trade Team in UKTI is providing a package of support through the Passport scheme to develop the network's business capacity.

Working with BME support organisations: in the West Midlands, UKTI is working closely with the Ethnic Minorities Business Council to develop its regional plan and with the Minority Business Forum on a diversity mission to Malaysia. In the East Midlands, UKTI is working closely with the newly formed India Trade Bureau. In Yorkshire and The Humber, we will continue to work closely with the Asian Business Development Network following the appointment of a UKTI representative to the network's Board. This will help strengthen international trade links with the region's Asian business community.

Such activities are designed to be responsive to the needs and circumstances of the companies we work with and the business opportunities that arise. They are therefore constantly being developed and added to. As well as monitoring success through PIMS, a quarterly internal report is produced to ensure the activities are delivering effectively.

**Objective 9: Maximise potential in the workplace by maintaining an adaptable labour market while delivering a reduction of legal complexity for business, both here and in Europe, raising the level of and demand for skills, and outside the workplace by promoting gender equality and diversity**

Overall classification: High

This area of work merits a high overall classification with its focus on enabling more people to work, or remain in the workplace, and making it easier for workers and employers to understand their rights and comply with their responsibilities. All major Regulatory Impact Assessments in this area will include a Race Equality Impact Assessment within the Social Impacts component of the cost benefit analysis. Employment Relations Directorate, which is part of BERR's Fair Markets Group, has responsibility for this work.

#### Relevant activities and actions

Increasing statutory paid leave entitlement: This manifesto commitment to increase annual leave entitlements to be additional to paid leave for bank holidays is likely to benefit the low-paid in particular, including part-time staff, women and minority ethnic groups. The 'Paid Annual Leave Survey' was commissioned to enable equality impacts to be assessed (completion: October 2006). This work involved informal and formal consultation with equality stakeholders during 2006 and a Race Equality Impact Assessment conducted on the policy for the formal consultation in December 2006/January 2007.

European legislation: influencing other Member States and the Commission to ensure that current and future European employment legislation is consistent with UK objective of non-discrimination in the workplace. We will continue to invite comments as appropriate from all stakeholders, including race equality bodies. Once agreed, implementation of the legislation will be appropriately monitored and the need for any changes investigated.

Employment Agency Standards: ensuring that agency standards and policies are developed and enforced to enable all to contribute to a flexible labour market and addressing problems facing vulnerable workers, who are more likely to be from minority ethnic groups or to be migrant workers. We held an informal consultation with stakeholders during April/May 2006. This was followed by a formal consultation paper in 2007. A Race Equality Impact Assessment will be conducted on policy for the formal consultation and we will work with race equality bodies and stakeholders in the relevant community groups to ensure impacts are monitored.

Employment status, rights and responsibilities: ongoing activities to raise awareness of employment status and rights by improving guidance, particularly targeting migrant worker communities. This includes publishing and distributing leaflets in a variety of languages. Impacts are monitored on an ongoing basis through the Labour Force Survey (annual) and Employment Rights at Work surveys.

Maintenance and continuous development of employee pages ("Employee Direct") of the Directgov website ([www.direct.gov.uk](http://www.direct.gov.uk)): these pages, which provide a single, comprehensive source of information for employees on their employment rights and responsibilities, are being comprehensively user tested during development including testing on ethnic minority users, vulnerable groups and users with English as a second language. Our Advisory Group includes a representative from the Commission for Racial Equality. Promotional activities are likely to include targeting of vulnerable groups. Monitoring of site effectiveness will be determined once site development is complete.

Review of employment-related help lines: a programme of work is being undertaken to analyse how well employment related help lines meet the current needs of workers. A key target group are people from black and minority ethnic communities, specifically those who are in low wage employment, have low levels of skills or where English is not their first language. We are also looking at those who are more highly skilled but working below their potential. We are gathering evidence to understand more about how individuals access information about employment rights and skills opportunities, and how much the more vulnerable groups rely on telephone help lines in preference to other sources of information (e.g. the internet). This will highlight any gaps in advice given, and whether there are ways that access may be simplified, for example by improving referral services where appropriate, or providing advice in other languages. The provisional completion date for evidence gathering and options analysis is June 2006, to feed into delivery proposals as part of the Comprehensive Spending Review for 2007.

Employment Tribunals – characteristics and experience of claimants: two studies were carried out during 2005 into the characteristics and experiences of claimants in race discrimination employment tribunal cases. The qualitative study offered respondents the option of interviewing in languages other than English and a specialist ethnic minority research organisation was subcontracted to comment on interview scripts. The studies will inform policy making with a view to eliminating discrimination. Research findings have been published in the Employment Relations Research Series and seminars/research dissemination events held to promote findings to diverse audience groups in April 2006. There is also a study of Employment Tribunals chairs' written judgments in race discrimination cases, to explore their content, quality and depth. We anticipate publication in June 2006. Ongoing monitoring will be carried out using Survey of Employment Tribunal Applicants (SETA) research together with other more focused studies.

Employment Tribunal Service (ETS) Claim and Response forms: the statutory Employment Tribunals Claim Form introduced in October 2005 contains an Equal Opportunities monitoring annex, which asks claimants to provide information on their ethnic group, religious belief and long-term illness or disability. The re-designed claim form also collects information on age, gender and occupation. This will provide ETS, BERR and the Department for Constitutional Affairs (DCA) with detailed real-time monitoring information where tribunal claims involving minority ethnic groups arise (by geographical area, sector, workplace size, etc.) and how they are resolved within the tribunal system. It will also provide indications of areas where minority ethnic groups are not making claims. Further research can then be commissioned to explore these claims in more detail.

Research concerning employment tribunals is co-coordinated with Acas and the new DCA Tribunal Service.

Dispute Resolution Regulations review: A scoping study of the issues that need to be addressed in the current dispute resolution process was carried out with stakeholder involvement during April – June 2006. A formal consultation document was launched in October/November 2006. SETA data and interim studies will be used to assess impacts.

Success at Work - a New Approach to Helping Vulnerable Workers: we are at the early stages of developing two vulnerable workers pilots with stakeholders. The aim of these is to ensure that the most vulnerable workers benefit from statutory employment rights, or alternatively that they may be put in touch with opportunities to advance through skills or language training. Our definition of 'vulnerable' takes into account people's circumstances at work and ability to take action where the employer treats them unfairly. Some low-paying sectors tend to have more problems at work than others and some of these sectors rely more than others on black and ethnic minority and, increasingly, migrant workers, many of whom may come within our definition of vulnerable workers. We are keen to reach the most vulnerable workers in a given sector or community and to invite community groups to become partners in the project. The pilots will work with the business community to encourage compliance with the law and help to ensure improved standards in the workplace. EMAR is commissioning pre and post pilot evaluation. Measurable objectives and outputs will be agreed with each pilot. The evaluation will be focused on securing improvements for the most disadvantaged and low-paid workers.

Age discrimination regulations: these came into force on 1 October 2006 and apply equally to all workers. A Race Equality Impact Assessment was undertaken and recorded in the published Regulatory Impact Assessment. The regulations will help where people

have experienced multiple discrimination and the legislation ensures consistency across strands. We will monitor the effectiveness of the legislation, including the impact it is having on racial and minority ethnic groups.

By 2008, to make progress against the following ethnic diversity targets within the former DTI's and now BERR's Public Service Agreement (PSA) target 10 from the 2004 Spending Review:

1. Raising the self-employment rate of under-represented minority ethnic groups, relative to that of other groups.
2. Reducing the incidence of racial discrimination at work reported by ethnic minority employees.

The targets reflect the Department's desire to promote good employment relations and fairness in the workplace.

For target 1, the data to monitor ethnic minority enterprise comes from the Labour Force Survey. The baseline for the percentage point gap between the rate for all other groups and the rates for under-represented groups excluding Indian and Pakistani is 4% (winter 2004). By autumn 2005 the gap had fallen to 3.7%. This is encouraging, but it is too early to assess whether this is part of a long-term trend. For target 2, the baseline will be drawn from the Department's Fair Treatment at Work Survey. This is a new survey, which for the first time will provide benchmarks for employees' experience of discrimination at work across all the equality strands. There were a number of groups that were over-sampled, including non-white ethnic minority employees. This ensures there are sufficient ethnic minority employees to enable a full analysis on this group to be conducted. Fieldwork was completed in January 2006, with final results published in June 2006. We plan to conduct the survey every two to three years.

Work and Families Bill: A Race Equality Impact Assessment was carried out and published as part of the Regulatory Impact Assessment (RIA). In preparing the RIA, focus groups were held with different groups including ethnic minority groups. We sought the views of ethnic minority groups during consultations with stakeholders on draft secondary legislation. There will be ongoing monitoring of the general effectiveness of the legislation, including the impact it will have on ethnic minority groups.

**Objective 10: Promote and deliver an effective framework for corporate and insolvency activity, giving confidence to investors, business and other stakeholders**

Overall classification: Low

This classification reflects the fact that BERR's activities are limited to overseeing Companies House and Insolvency Service performance and the delivery of efficiency benefits. The services delivered by Companies House and the Insolvency Service are covered in the section of the Annex on BERR's Agencies.

Relevant activities and actions: None identified. Activities will be reviewed annually

**Objective 11: Safe, economic, efficient and effective management of Departmental (and, where relevant, Government) assets and liabilities and to provide a centre of excellence within Government on corporate finance and governance issues**

Overall classification: Low

This objective relates to nuclear clean-up, coal health claims (the responsibility of Energy Group) and maximising the value and professionalising management of various government shareholdings through the Shareholder Executive. These shareholdings include Royal Mail.

Relevant activities and actions:

Future policy decisions on the post office network will involve discussions with stakeholder groups, RIA and public consultation, which will be used to identify any racial equality issues. Impacts of reduced numbers of post offices on different groups in society, such as the elderly, disabled, low incomes or those without access to private transport will be assessed in reaching policy decisions. Our current understanding is that minority ethnic groups are disproportionately under-represented in rural areas, but to the extent that they are resident in these areas, the impact of changes on them will not be significantly different to the impact on the community as a whole. Again, stakeholder discussions and responses to consultation will be used to identify any race equality impact issues in this policy area. Royal Mail has a diverse workforce. The Board has been encouraged to tackle diversity issues and has done so with success. The Shareholder Executive team will continue to support the Board in this area by maintaining awareness and ensuring that people issues including diversity are covered at Quarterly Shareholder meetings with the company. In making appointments to the

Board, regulator and consumer bodies, Departmental and Cabinet Office best practice are followed and we seek to attract as wide a field as possible.

**Objective 12: Ensure nuclear security and safety and effective and efficient BERR contribution to preventing proliferation of arms and other strategic goods**

Overall classification: Low

Policies/regulations covered by this objective are predominantly directed to the behaviours/actions of companies/exporters or other organisations/institutions rather than individuals or groups, hence the low classification.

Relevant activities and actions: None identified. Activities will be reviewed annually.

## Enabler Objectives: the way we work

### Objective: Effective channels with business

#### Overall classification: Moderate

Much of the work under this Objective concerns maintaining relationships with key companies and intermediaries, which is not deemed as relevant to race equality issues. The moderate overall classification therefore reflects the pockets of work outlined below. Business Relations Directorate leads on this work.

#### Relevant activities and actions:

Digital Television Switchover: Regional and generic leaflets about digital switchover will be produced in up to 12 different languages upon request. In moving towards communicating with each TV region (generally from two years before switchover of that region) in-depth desk research will be conducted to identify ethnicity and language profiles. Research is undertaken regularly to assess, by racial group, take up of digital TV and usability issues. Examples include Digital UK's ongoing quarterly 'Switchover Tracker', Ofcom's 'Report on media literacy amongst adults from minority ethnic groups' (published April 2006) and the DCMS/ONS 'Taking Part' survey (due to be completed end-2006). These show a higher ownership of digital TV among minority ethnic groups than for the general population and greater ability to use digital TV equipment.

Digital Strategy: This seeks to achieve digital inclusion of all citizens. It focuses attention on Government service delivery to ensure that delivery departments recognise and act to make services inclusive. The Digital Strategy Programme Board drawn from across Government Departments is responsible for driving the digital inclusion agenda within Government and reports to the relevant Minister. Prior to the launch of the Strategy relevant research was reviewed, such as the 2004 Cabinet Office study on enabling a digitally inclusive UK. That research revealed (in the distribution of ethnicity on Digital Engagement Framework) that non-white groups were no more or less likely to be unengaged based on their ethnicity. Links were, however, made to social groupings, e.g. unengaged groups are more likely to be unskilled, or older people. Other studies such as that done by the Ofcom Consumer Panel 'Consumers and the Communications Market Report' indicated support of this view, as did other international studies reviewed. Low pay or lack of wealth are greater inhibitors than ethnicity to internet access, which is why the Strategy focuses on inclusion for all and in particular these hard

to engage groups. The former DTI Secretariat for the Digital Strategy Programme Board will draw to the Board's attention the importance of the Race Relations (Amendment) Act across the Strategy's actions. This will be acted on with a letter to all Board members and in Summer 2006 the former DTI instigated an audit of responsible Departments' monitoring arrangements, requiring them to demonstrate their compliance with the Race Relations Act in this policy area.

Women in IT/ITEC professions: The former DTI worked with industry partners to screen our strategy and associated actions in more detail for relevance to the race equality duty during 2006 and the results of this screening and any ensuing actions was published on our website.

### **Objective: Setting and delivering priorities**

Overall classification: Low

This objective is focused on internal performance in planning and delivery of PSA targets through business planning, effective decision-making and programme efficiency savings. Finance and Resource Management Directorate lead on this work.

Relevant activities or actions: None identified. Activities will be reviewed annually.

### **Objective: Excellent corporate services**

Overall classification: High

This rating reflects the inclusion under the Objective of internal activities to ensure BERR has the right people with the right skills in the right place. A number of teams are involved in delivering this objective, including Human Resources and Change Management.

Relevant activities and actions:

Human Resources: activities include diversity training across the Department during 2006, meeting commitments in the Cabinet Office 10 point plan, including visible top-level commitment, and a new development plan for Band A staff. On the latter, we will work with the Department's diversity groups including AGRE (the Advisory Group on Race Equality), undertake equality impact assessments where appropriate, and put in place adequate monitoring, possibly based on that already in place for the Accelerated Development Programme, from commencement of the new programme. Race Equality Impact Assessments will be considered for new electronic staff appraisal and reporting process, the annual staff survey, sickness absence monitoring, recruitment and relocation plans. We are also taking action to improve the percentage of staff that declares ethnic origin to the Department. Activities will include publicising the purpose of collating employment data by ethnicity across the Department and how it is used and a reminder to members of the Senior Civil Service to declare their own data and to encourage their staff to do the same. We will also consult other organisations to see what has worked for them in increasing declaration rates.

*See also information in Section 4 of the main Race Equality Scheme*

Public Appointments: The BERR's Appointment Plan, published at [www.BERR.gov.uk/about/aboutus/public-appointments/index.html](http://www.BERR.gov.uk/about/aboutus/public-appointments/index.html), contains an Equality Statement highlighting our commitment to providing equal opportunities for all. This is sent out with all advertisements and information packs. The Appointment Plan also presents our targets for the appointment of minority ethnic groups, women and disabled people to public bodies for 2007 and 2008. Actions to support progress towards our targets include: reviews by officials and Ministers at the beginning of each appointments exercise to identify how to reach out to a wide range of candidates; work with the Ethnic Minority Business Forum to explore new ways of attracting ethnic minority candidates; and maintaining close links with appointment units in other Government Departments to share good practice. Applicants are asked to provide information on their ethnicity, as well as gender and disability, via a form sent out with the application pack.

## **Objective: Excellent Corporate Communications**

Overall classification: Moderate

The provision of high quality and timely external service, information and advice and internal communication and marketing come under this Objective.

Relevant activities and actions:

Excellent external communications: BERR's accessibility policy includes translation of publications into minority languages at the Department's discretion and where there is a demand. BERR is working towards achieving World Wide Web Consortium (W3C) Web Accessibility Initiative (WAI) AA Standard. These Standards are designed to ensure that the web is available to all people, whatever their hardware, software, network infrastructure, native language, culture, geographical location or physical or mental ability. We will continue to ensure our corporate communications promote positive images on race, disability, gender, age and other groups in society.

*See also information in Section 3 of the main Race Equality Scheme document*

**Objective: Excellent Legal Services**

Overall classification: Low

Relevant activities and actions: None identified. Activities will be reviewed annually.

## Agencies

### Companies House

Overall classification: Low-moderate

Relevant activities and actions: Companies House has formed a Race Equality/Accessibility Group made up of senior managers from across the organisation. This group proactively looks at issues relating to the Race Relations (Amendment) Act 2000, including accessibility (both physical and in terms of service delivery, products, publications etc), policy development, project work, service delivery, product development and so on. Work has included a review of registered companies' postcode data to research and highlight areas of high ethnic minority business representation, registration and compliance/non-compliance with the statutory elements of the Companies Act in terms of geographic location. This has enabled us to target a series of Road Shows towards specific areas of known high ethnic minority representation.

### Insolvency Service

Overall classification: High

Relevant activities and actions:

Corporate management of diversity issues, including race equality: The Agency Chief Executive (ACE) is the Diversity Champion for the Service and chairs our Diversity Board, which covers race equality. The Board convenes three times in the year and will:

- o act in advisory capacity to the ACE in relation to both inward and outward facing diversity issues across the organisation;
- o discuss any issues arising and formulate strategy in relation to diversity;
- o monitor progress against the strategy and report to Directing Board and Steering Board annually; and
- o consider whether The Service's strategy for data collection and analysis is sufficient to inform our diversity strategy.

The Service also has a Diversity Group consisting of staff with varied interests and backgrounds from a cross-section of grades. Its aim is to foster a culture which is supportive, positive, encouraging, inclusive, comfortable, and which is not only fair but is also seen to be fair; to be consulted about and to advise on new initiatives, the impact of new legislation, and new policies and changes to policies; and to raise the visibility, awareness and understanding of diversity within The Service.

New discharge provisions introduced as part of the Enterprise Act 2002: The Service undertook a race equality impact assessment (REIA) on the impact of the new provisions on various ethnic groups. The data used for the REIA was taken from ethnic monitoring of all bankrupts since 1 April 2004 following a pilot carried out in 2003-04. The results of the assessment, which were published on our intranet in December 2005, identified a differential impact in the early discharge rates of the white and ethnic minority populations. This was to a large extent caused by lower surrender and cooperation rates amongst minority ethnic groups but did not establish the reasons for this. We are therefore:

- i) Contacting academics with a view to carrying out research on why minority ethnic groups are less likely to petition their own bankruptcy than the white population, and why there are marked differences in surrendering and co-operating with proceedings. The research is to be concluded by December 2006 after which further action will be identified.
- ii) Monitoring the Bankruptcy Restriction Orders and Undertakings (BROs and BRUs). An REIA will be carried out on this work in 2006/7.

Following monitoring of bankrupts, the Service went on to compile ethnic origin data for insolvency practitioners in April 2005 and will repeat the process in 2006. All those Directors of companies in compulsory liquidation that are invited to interview have been asked to complete ethnic monitoring forms since 1 April 2005. This is ongoing.

Drafting of new insolvency legislation, specifically Debt Relief Orders (DROs) and Simple Individual Voluntary Arrangements (SIVAs): Initial evidence suggests that minority ethnic groups may be less likely to seek debt advice and voluntarily access debt relief/repayment schemes. Therefore, although the new proposed insolvency legislation does not discriminate unlawfully against racial groups, it is envisaged that The Insolvency Service will endeavour to identify safeguards and measures to help tackle potential existing differentials

e.g. post-implementation monitoring which specifically targets groups where differentials exist, ongoing consultation with different racial groups and appropriate publicity.

Although a formal initial screening of policies has not yet taken place, the evidence available to date indicates that a full REIA will be necessary for new insolvency legislation. The proposed timetable for known legislation is:

	<b>Initial Screening</b>	<b>Full assessment</b>	<b>Target Implementation date</b>
<b>SIVAs</b>	By September 2006	By April 2007	October 2007
<b>DROs</b>	By April 2007	By April 2008	April 2009

The REIAs will include:

- o Analysis of existing monitoring statistics regarding bankrupts;
- o Literary review of any relevant research relating to race and economic activity (such as attitudes to debt, seeking advice);
- o Analysis of relevant statistics/survey results (such as the Labour Force Survey);
- o Consultation of representatives of minority ethnic groups, and ethnic minority bankrupts, to include consideration of setting up a 'focus group' to facilitate on-going consultation; and
- o Commissioning appropriate research.

An appropriate Action Plan will be drawn up on the basis of the REIA findings