



EUROPEAN UNION
Investing in Your Future

European Regional
Development Fund 2007-13

European Regional Development Fund

Convergence and Competitiveness

Equality and Diversity Guidelines

(Updated Jun 2012)



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INTRODUCTION

- **What is meant by equality and diversity**

Equality is about respect and not treating an individual or group of people unfairly. It is about giving people equality of opportunity to access services and to fulfil their potential. Equality is therefore based on the idea of fairness while recognising everyone is different.

Diversity is about all the ways in which people differ and about recognising that differences are a natural part of society. No two people are the same and this means that many different elements make up our local community – something which should be celebrated. Diversity is about treating people as individuals and making them feel respected and valued.

- **What equality and diversity are not**

Equality and diversity and the principles of proportional treatment (treating people according to their needs) are NOT:

- ❖ about political correctness
- ❖ about “ticking the box” and paying lip service
- ❖ a hurdle or a barrier to achieving economic success
- ❖ about illegal preferential treatment of particular groups

- **Legislation**

In recent years, the UK government has brought in a number of equality laws. The latest legislation is the Equality Act 2010 which has swept up into one piece of legislation, a number of previous Acts. This includes the public sector equality duties ensuring that the public sector takes a proactive approach to equality and diversity and embedding this into projects it is involved with. In general these duties require:

- ❖ eliminating discrimination and harassment
- ❖ promoting equality of opportunity
- ❖ promoting good relations between different diversity groups
- ❖ taking account of people's differences
- ❖ promoting positive attitudes to diversity groups
- ❖ encouraging participation of people from diversity groups in public life

- **European funding Operational Programme equality and diversity considerations**

In order to narrow rather than widen the gap of disadvantage, European funding must tackle discrimination, promote equality of opportunity and outcome, value diversity, promote good relations between groups, prevent the formation of barriers for disadvantaged and under-represented groups and actively remove existing barriers. Joint working across the Programmes and provision of wrap-around support, targeting disadvantaged or under-represented groups, will maximise the economic benefits to people in the South West. In order to achieve equal and sustainable outcomes that can extend beyond their life, the programmes must be accessible to all and allow people to fulfil their potential. There is a risk that some under-represented groups may be indirectly discriminated against in the



development of the knowledge based economy and it is therefore up to projects to mitigate this risk where possible. Embedding equality in ERDF funded projects should therefore not be seen as an add-on, but integral to the effective delivery of any project with all projects examining the consequences for stakeholders through carrying out equality impact assessments.

The principles within the Convergence and Competitiveness Operational Programmes are around ensuring fair treatment and non-discrimination. The Operational Programmes specifically highlight the need for projects to take positive actions to reach groups and increase participation. Identified barriers include:

- ❖ discrimination and harassment
- ❖ childcare and other logistical issues
- ❖ confidence and self esteem
- ❖ education and skills
- ❖ awareness of opportunities

Other issues that must be considered through this process are:

- ❖ monitoring at the proposal stage of access for people with disabilities for all buildings and premises being supported by the Programmes.
- ❖ explicit plans incorporated into proposals for enterprise culture which focus on challenges faced by the priority groups.
- ❖ development of an access strategy to accompany digital investment, to reduce the digital divide.
- ❖ access plan targeting disadvantaged groups to accompany new investment in CUC
- ❖ consideration of access, including public transport, for all major investments funded under Priority 4 and the production of employment access plans, possibly funded by ESF, for major investments under Priority 4.

Convergence and Competitiveness Operational Programme objectives include to:

- ❖ increase the take-up of (quality training and¹) employment by under-represented target groups.
- ❖ increase the number of people in under-represented groups accessing (training and²) employment in higher skilled occupations and sectors where they are currently under-represented.
- ❖ ensure that new facilities and developments take account of access needs which may restrict use by key groups³
- ❖ ensure that business support is inclusive and responsive to the needs of all communities and under-represented groups.
- ❖ increase the participation of people in under-represented groups in the management and implementation structures of the programme. It is important that partnerships, selection panels and other administrative groups are representative at all levels and positive steps are taken to gain the active involvement of under-represented groups.
- ❖ increase the number of people from under-represented groups owning their own business

Targets within the Operational Programmes are:

¹ Convergence only

² Convergence only

³ Convergence only



ERDF Indicators	Target Number
Number of persons from under represented groups* assisted in starting a business	10% ⁴ or 20% ⁵ of all persons assisted
Number of women assisted in starting a business**	40% of all persons assisted
Proportion of Programme committee and sub committee members who are women	50% of Committee members
* Defined as people from a black and minority ethnic background, and people with a disability (and residents of disadvantaged communities ⁶) ** Women are under-represented in terms of owning a majority of the business	

- **Benefits of, and business case for, equality and diversity**

If a project or organisation embraces equality it can achieve many business advantages. Incorporating the principles of equality and diversity can ensure that there are many employment benefits such as improved motivation and morale, increased productivity, creativity and new ideas. Additionally it can reduce costly and unpredictable employee turnover. The average recruitment cost of filling a vacancy per employee is £4,000, increasing to £6,125 when organisations are also calculating the associated labour turnover costs (CIPD Annual Survey Report 2009 – Recruitment, Retention and Turnover) by motivating employees with fair and inclusive recruitment and employment policies and practices, thereby increasing employee loyalty. By embracing diverse perspectives and ideas, new ways which challenge the ‘one-size-fits-all’ approach to economic regeneration can be developed through a better understanding of the needs of different groups. Ensuring that recruitment advertising processes target under-represented groups within the community means that a project opens itself up to a wide pool of potential talent and therefore broadens its base of skills and expertise. It means that talented recruits are attracted and experienced employees retained. The employee base therefore reflects the local and national demographics, giving a benefit of staff with varied knowledge of communities, culture, etiquette and potential new markets and better empathy with the customer's needs. Additionally, it can put customers at their ease if they can see people within a project or organisation who resemble themselves or their communities and therefore help them identify with what that project is trying to achieve. It provides more potential for people to make different, but equally valuable contributions in the workplace - while different viewpoints and value systems can cause challenges or sometimes conflict, any organisation can benefit from people questioning and challenging how and why things are done.

Helping employees develop flexible working patterns so they can balance their work and personal commitments while achieving their full potential at work is important and will help increase job satisfaction and commitment while reducing absenteeism and stress (30% of sickness absence may be related to stress – check figure - stress-related sick leave is estimated to cost UK businesses over £7 million each week (European Foundation for the

⁴ Convergence only
⁵ Competitiveness only
⁶ Competitiveness only



In providing a service to the community, embracing equality means that better, more tailored services which meet individual needs are designed and greater flexibility demanded by the customers is offered. This in turn leads to a positive public image for your project in the community and a stronger likelihood of being sustainable over the long-term because it better meets the needs of all sections of the local community.

Not taking into account the principles of equality results in demotivated staff, lower performance and can cost the organisation a lot of money when taking into account the potential costs of legal services and compensation awards in discrimination cases. If the principles are not embraced, a project or organisation runs the risk of automatically closing its door on a potential pool of talented and skilled individuals. With heightened social awareness and expectations of equality positive, perceptions of those businesses that take an active stance on equality and diversity is positive in the community – conversely, if your project or organisation does not respect diversity there can be an adverse impact on reputation as well as on morale and efficiency within the organisation.

EQUALITY IN PRACTICE

- **Project interaction with the Equality Adviser**

Projects must liaise with the Equality Adviser right from business planning to ensure that there are appropriate commitments and actions identified. Projects will be expected to evidence how the project has been designed and developed to meet the needs of its beneficiary groups, how the equality policy applies to the project, how it is marketed and publicised, what equality measures will enhance the project etc. This includes agreeing mechanisms for equality monitoring and reporting. Engagement with the Equality Adviser must continue through approval and endorsement, and into delivery.

- **Equality policy and equality impact assessment**

Equality and diversity principles for projects should also be included in a fully functioning and monitored equality policy for the project. An equality and diversity policy is an important statement of a project's attitude to equality in the services offered and commitment to ensuring that all service users receive fair and equal treatment. An effective policy and equality impact assessment action plan that results will demonstrate how the project intends to put its values into practice, helping people understand what to expect of the project and therefore help win new customers. **Every project receiving ERDF funding (except GBI projects) is required to carry out an equality impact assessment on the proposed activities during business planning.** This is to assess the impact of the proposal on diversity groups, and to mitigate any unjustified differential impact that may be identified, thereby assessing any likely barriers or opportunities. Negative or adverse impacts must be minimised as far as possible, and opportunities to promote equality and social sustainability should be maximised. The project's lead organisation can use their own equality impact assessment process / forms or the Secretariat has one that can be used. The critical part of an impact assessment is the action plan as this demonstrates what action will be taken - action plans must be SMART (Specific, Measurable, Achievable, Realistic and Time-bound). Some projects do not find it easy to relate equality and



diversity to the type of project they are running and it will depend on what the money is spent on, but it is more than likely that there will be some form of impact in terms of equality and diversity in the vast majority of projects.

The starting point for project's ensuring access for all to their services is:

- ❖ reviewing the requirements of legislation and understanding implications for the project
- ❖ anticipating and planning for changes that might be needed during the life of the project
- ❖ looking for and building on examples of good practice
- ❖ marketing and advertising services in innovative ways to ensure access to as wide a base as possible
- ❖ consulting existing customers as well as customers who may not currently be able to access your services about potential changes
- ❖ obtaining professional help or advice when necessary

As a minimum projects must address the nine protected equality characteristics:

- ❖ age
- ❖ disability
- ❖ gender reassignment
- ❖ marriage and civil partnership
- ❖ pregnancy and maternity
- ❖ race
- ❖ religion and belief
- ❖ sex
- ❖ sexual orientation

Additionally projects should look at accessibility (in terms of location, transportation, site accessibility and navigation) as well as wider issues of deprivation, geographical disadvantage, low incomes etc.

Areas for consideration in an equality impact assessment

This is **not** an exhaustive list, and projects should be as innovative as possible in finding ways to address opportunities in equality, and remove potential barriers to particular groups accessing the project.

All	Employment profiles should be proportionate to local community and should consider occupational gender imbalance / occupational segregation at different levels, glass ceilings etc Opportunities to benefit people of all protected characteristics Need to increase access to training and employment opportunities for all groups
Age	Younger people (16-24) and issues particular to this age group such as outward migration of young people from rural areas, attracting young men into training Older people (55+) and issues particular to this age group such as people who have been made redundant but with good skills sets and business knowledge (often an untapped resource which could help benefit the economy)
Disability	Awareness that people with a disability have lower employment and higher inactivity rates Need to increase access to training and employment opportunities for people with disabilities Accessibility of capital builds and infrastructure including building location,



	parking and drop-off, building design and layout, transportation People with responsibility for caring for relatives Awareness of issues other than physical disabilities, such as mental health, learning disabilities, sensory disabilities etc
Gender reassignment	Making workplaces safe, comfortable and welcoming to people undergoing gender reassignment – such as toilet facilities, policies in place, awareness of managers, open and accepting working environment
Marriage and civil partnership	Civil partners must be treated the same as married couples on a wide range of legal matters
Pregnancy and maternity	Managing new and expectant parents in the workplace (including health and safety, maternity and paternity leave and pay, adoption and other types of leave, and arrangements for return to work) In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.
Race	Migrant workers Language and translation – interpretation, signage Cultural and traditional issues to include diet, clothing etc.
Religion and Belief	Religious customs (prayer requirements during the working day, dietary restrictions, religious festivals and important dates) and making reasonable adjustments for these
Sex	Awareness of gender issues specific to men or to women Gender pay gap (women are paid approx 17% less than men) and the need to increase higher paid women earners Awareness of variations in the women's role in different cultures Childcare support and awareness of issues around dependents (to include lone parent issues) – in general women take on the greater care burden Childcare / changing facilities within public access buildings Flexible hours and availability of part-time working Opportunities to bring parents back into the workplace Provision of services outside of the normal working day Appropriate safety and lighting around buildings / places
Sexual Orientation	Importance of a safe, comfortable and welcoming employing environment

Projects should consider their different functions and identify areas of potential impact around these. Generic function areas include the below and relevant SMART actions in the equality impact assessment action plan should result.

Employment

Projects must ensure appropriate employment and recruitment processes are in place.

Suitable actions for an action plan would include:

- ❖ revise and update the organisation's equality and flexible working policies, ensuring that they are not only focused on the organisation as an employer but also how the organisation deals with clients / customers / contractors etc (i.e. how it embeds equality in its service delivery), and that it reflects the latest Equality Act legislation
- ❖ ensure that equal pay principles are clearly stated in the organisation's literature
- ❖ ensure a complaints system is in place that will allow reporting of any equality-related complaints



- ❖ where under-representation e.g. of women, ethnic minorities, disabled people, exists in the industry, target additional active promotion of these job opportunities (e.g. place job adverts) to these groups (positive action)
- ❖ job descriptions / person specifications to contain equality commitments such as adhering to the organisation's equality policy (Note that job descriptions / person specifications should avoid asking for driving licences, instead focusing on ability to travel, and asking for numbers of years experience, which leaves the company open to allegations of discrimination)
- ❖ job adverts to contain a statement that they are an equal opportunities employer
- ❖ job adverts to explicitly state they can be filled at part-time or at job-share where operationally practical
- ❖ monitor the equality profile of staff working on the project
- ❖ implement equality training for all staff employed as a result of the project

Procurement

Projects which are out-sourcing elements of work, or using supply chains etc must ensure that equality is considered when selecting delivery / partner organisations. Conditions and standards can be imposed upon organisations carrying out work at arms length. Suitable actions for an action plan would include:

- ❖ insert a standard equality clause into the procurement documentation (including brief), contracts etc
- ❖ specifically embed equality into the project's procurement process by asking equality questions within any pre-qualification questionnaire (processes, policies, equality accreditation, past discrimination history and principles of the proposed contractor), and in the tender brief (evidence of how the organisations can bring relevant equality experience to the project, how they plan to embed equality into what they plan to do etc) or during interview should there be one

Communications

Projects must try to ensure that communications are fully accessible, particularly considering those with learning difficulties and visual impairments. Suitable actions would include:

- ❖ ensure any necessary consultation around the project is carried out with interested and relevant stakeholders
- ❖ use ESW accessible events toolkit for each event held (or compare the guidance with the organisation's own checklists to ensure best practice)
- ❖ include an alternative formats statement on public-facing project documentation
- ❖ use ESW accessible communications toolkit in public-facing communication (or compare the guidance with the organisation's own standards to ensure best practice)
- ❖ assess the project's website for accessibility and ensure that it at least meets AA standard (see WAI, W3C web guidelines)
- ❖ carry out necessary consultation and involvement with the local community, to ensure the project meets the needs of people who could benefit (possibly including consultation with existing users of similar facilities, and also those not currently benefiting to ensure that there are no barriers preventing them from doing so)

Marketing

Projects should attempt not to reinforce attracting the same stereotypical businesses, but explore how to get out to under-represented businesses. Actions could include:

- ❖ targeting marketing towards particular groups

Promoting equality



This is relevant in projects where businesses are supported, premises are being leased to other organisations or there is sub-contracting to other organisations. Actions could include:

- ❖ ensure that opportunities to promote equality are maximised by:
 - emphasising the need for equality policies
 - discussing the importance of a good set of policy standards for supply chain purposes in light of a tightening of finances
 - informing businesses about the equality business case
- ❖ identify any good practice case studies that can be used to promote the positive equality work from the project (a business owner supported, a product created, or a theme within a project etc)

Monitoring

Projects are contractually obliged to monitor equality data. Action plan commitments could include:

- ❖ ensure monitoring processes are in place to collect monitoring data at individual level (jobs created, jobs safeguarded etc) and at business level where appropriate
- ❖ place an equality representative on the project Steering Group and any operational groups to flag up equality considerations

- **Structural build and benefits of inclusive access**

With capital builds or infrastructure projects, issues around disability and access are particularly relevant. All premises must be compliant with the Disability Discrimination Act and Part M of Building Regulations 2000 as these are legislative requirements. However even those buildings complying with disability legislation and Part M are not always fully accessible. As such it is therefore important to ensure that good / best practice is implemented. This includes using the ERDF Social Sustainability Toolkit commissioned for ERDF projects to lead the architect / design team through the appropriate design considerations – **please note, the ERDF Social Sustainability Toolkit must be completed and submitted at business planning stage for appraisal purposes.** This good practice also includes ensuring premises are access audited by an accredited access auditor or a local disability group during the design stage and also post-construction to ensure that measures work in practice. This allows a practical check of accessibility but also can be a positive way of publicising the accessibility of the project to users themselves, and could be used as part of promotional material through, for example, local disability newsletters. Projects should ensure that they allow for the cost of this in their business plan. ERDF expectations around lifts and hearing loops etc are set out in the Environmental and Social Guidance for Sustainable Construction within ERDF Investments document.

Inclusive environments are suitable for a wider range of people (not just disabled people but also older people and parents with prams / buggies) and are therefore a more sustainable investment. It is important also to consider non-disability issues in relation to capital builds / infrastructure as they are just as relevant - for example safety and lighting, etc. Inclusive environments are more likely to have an enhanced market value when tenants / purchasers of property become increasingly aware of the economic disadvantage of excluding proportions of the population. It is also more cost-effective to build accessibility into the design rather than make retrospective adjustments. Additionally, accessible and inclusive designs can ensure a smoother path through the planning process and prevent delays which can have a commercial impact. Projects must remember that there are legal obligations for employers and service providers to make reasonable



adjustments to improve access for disabled people – addressing these issues earlier is easier than to retrofit and incur greater cost.

- **Equality indicators**

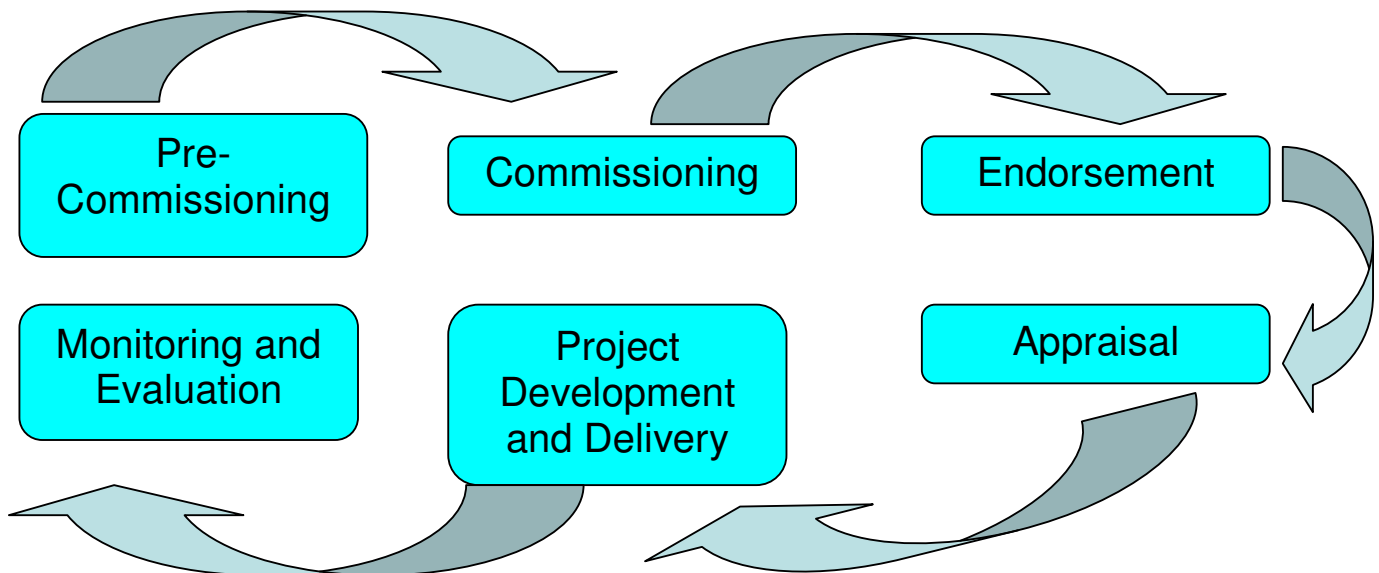
All projects (except GBI projects) must select from the Programme's equality indicators those that are relevant to their project. Reporting of these is not as literal as implied in the spreadsheet evidence column – projects will not be required to supply copies of documentation (e.g. the event checklist, an alternative formats statement on documents), but will be expected to produce that evidence should an auditor wish to see it. The indicators, along with the equality action plan, should guide projects as to which topics they should be reporting as part of the whole project progress reporting.

- **Monitoring and evaluation**

The project should refer to the equality and diversity section of the Operational Programmes for initial guidance on general equality and diversity issues. Indicators will then need to be developed in conjunction with the Equality and Diversity Adviser in order to measure the success of the project in equality terms. Reporting should not be onerous but there is a need to identify quantifiable output targets for equality and gather information on progress.

BUSINESS PLAN DOCUMENTATION REQUIREMENTS

The business planning process is as follows:



- **Information that must be submitted when applying for ERDF funding**

Certain documents must be submitted with the business plan for appraisal.

- ❖ A screening stage equality impact assessment (for a workspace project this assessment must relate only to the non-design / build issues of the investment e.g. employment, procurement, marketing to under-represented groups, consultation, monitoring).
- ❖ The completed ERDF Social Sustainability Toolkit must also be provided as evidence of equality commitments (where the project involves capital build or refurbishment)



- ❖ The equality indicators that the project will report on must be selected.

If these completed documents are not submitted satisfactorily prior to appraisal, the application will not be accepted and will not be submitted for decision.

All project guidance for both Convergence and Competitiveness Operational Programmes is found at <http://www.convergencecornwall.com/what-is-convergence/advice-and-guidance.php>:

- ❖ Equality project guidelines
- ❖ ERDF Social Sustainability Toolkit
- ❖ Screening Stage Equality Impact Assessment form
- ❖ Equality Impact Assessment guidance notes
- ❖ Equality indicators for the programme including selection of those appropriate to your project

HELP AND SUPPORT

- **Key contacts**

Lisa Sandercock
Cross Cutting Themes Adviser (Diversity)
ERDF Programme Delivery Team South West
Department for Communities and Local Government
Tel: 0303 4446547
Email: lisa.sandercock@communities.qsi.gov.uk

Or for information relating to Strategic Investment Framework P4 or P2 workspace / infrastructure projects please contact

Sue Patton
Sustainability & Low Carbon Advisor
Project Services
Cornwall Development Company
Tel: 01209 611115 / 07528 983449
E-mail: sue.patton@cornwaldevelopmentcompany.co.uk

- **Further information**

Further general information and specific tailored support for projects is available from the contacts below. Additional information is also available around specific topics such as:

- i) Equality data (useful general facts and figures)
- ii) Useful tips for architects and design planners - hearing impairments
- iii) Building Regulations Part M
- iv) How to...work with British Sign Language(BSL)/English Interpreters
- v) Disability Discrimination Act 1995, Code of Practice, Employment and Occupation (Disability Rights Commission)
- vi) How employers can break down gender segregation in vocational training and employment
- vii) Website accessibility
- viii) Facts about women and men in Great Britain



- **Useful websites**

www.equalityhumanrights.com - Equality and Human Rights Commission – guidance for businesses

www.equalitysouthwest.org.uk - Equality South West – source for further equality support

www.w3.org/WAI - Website Accessibility Initiative – information on making websites accessible

www.sensorytrust.org.uk - Sensory Trust – advice on sensory issues

www2.dft.gov.uk/transportforyou/access/index.html - Department for Transport – advice on transportation accessibility (transport infrastructure, Blue Badge, railways etc)

www.communities.gov.uk/documents/planningandbuilding/pdf/156681.pdf - Planning and access for disabled people: a good practice guide

www.planningportal.gov.uk/buildingregulations/approveddocuments/partm - Part M – advice on implementing Part M Building Regs in capital builds

www.networkcornwall.net - Network Cornwall – women's business network

www.wes.org.uk - Women's Engineering Society - encourage women to participate and achieve as engineers, scientists and as leaders

www.theukrc.org/get-involved/wise - UKRC - WISE (Women into Science, Engineering and Construction) works with industry and education to inspire girls and attract them into science, technology, engineering and mathematics (STEM) studies and careers



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