

Bedfordshire and Luton Fire and Rescue Service



Gender Equality Scheme 2007 – 2010

Reviewed March 2009

CONTENTS

Contact Details	3
Foreword	4
Our Beliefs	6
Strategic Aims and Objectives	7
Gender Equality Duty	8
Context: Bedfordshire and Luton Fire and Rescue Service	10
Delivering the Gender Equality Scheme	15
Enforcing the Duty	20
Reviewing the Gender Equality Scheme	22

APPENDICES

An understanding of the Gender Equality Duty	Appendix A
Gender Action Plan	Appendix B
Transgender Action Plan	Appendix C
Legal Framework	Appendix D
Transgender People – Guidance Notes	Appendix E

Contact Details

The Gender Equality Scheme, Annual Reports and revised schemes along with other relevant documents relating to Equality and Diversity are available on our Website:

www.bedsfire.com

If you are unable to access this information electronically or require the Gender Equality Scheme in an alternative format or language, copies can be provided upon reasonable request.

Please Contact:

Dawn Webb
Diversity Advisor
Telephone 01234 351081
E-mail dawn.webb@bedsfire.com

Bedfordshire and Luton Fire and Rescue Service
Southfields Road
Kempston
Bedford
MK42 7NR

FOREWORD

BY COUNCILLOR ANTHONY DUGGAN, CHAIRMAN OF BEDFORDSHIRE AND LUTON COMBINED FIRE AUTHORITY



The Combined Fire Authority is fully committed to the ultimate goal of a fully inclusive society. As a Combined Fire Authority there is much we do that we are proud of which contributes towards that aim.

From April 2007 all public authorities have a legal duty to positively promote gender equality. We believe that our Gender Equality Scheme gives us the ideal opportunity to further develop our good work and bring together and prioritise issues for women, men, girls and boys.

It is a simple fact that if we are to deliver an accessible and appropriate service to our community; then we need to place equality and diversity at the heart of everything we do.

We have a statutory and social responsibility to ensure that no member of our community, our partners or any member of our staff should suffer a detriment owing to their gender, race, age, sexual orientation, faith or disability.

I am confident that this Gender Equality Scheme will provide a catalyst for Bedfordshire and Luton Fire and Rescue Service to deliver continuing improvement in equality outcomes for the men and women throughout our community and within our organisation.

Anthony Duggan

**BY CHIEF FIRE OFFICER PAUL M FULLER
BEDFORDSHIRE AND LUTON FIRE AND RESCUE SERVICE**



I would like to introduce you to our first Gender Equality Scheme. This document is important as it puts in place the foundation on which we will further develop and ensure gender equality in our workplace.

Society is changing but the questions remains: are we, Bedfordshire and Luton Fire and Rescue Service, doing enough to be in tune with these changes?

As an organisation we are supported by government legislation that will enable us to be compliant; however we fully intend to go that one step further and where possible exceed the requirements of the general and specific duties contained within the Gender Discrimination Regulations 2007.

To start, it is imperative that we develop our understanding about gender inequality and what gender equality might look like both within our organisation and in our dealings with everyone we encounter. As we develop this shared understanding it will be linked directly to our organisational objectives where Elected Members and I, along with my senior management team, will be accountable and fully support the processes as set out in the actions plans associated with this Scheme.

As an organisation we are fully engaged in the process of mainstreaming equality and diversity into everything we do and, as such, believe that it is important that our staff are continually developed in their understanding of gender equality and their skills in analysing the impact of the services we provide, procurement, partnership working, and employment practices.

Involving staff, service users, unions, and other partners, in the development and implementation of policy, gender equality, standards, and objectives, is fully recognised as part of our working practices and imperative if we are to remain on track and actualise our objectives and targets.

But we have to recognise that diversity will not be driven solely by policy and targets. We must understand that achieving diversity comes from a belief in human flourishing and our respect for all people. It is insufficient just to talk; we must also live that belief.

Bedfordshire and Luton Fire and Rescue Service have driven the equality agenda forward over many years. However, I believe that we must strive to scrutinise and review our practices in order to continually improve all business that we engage in.

A handwritten signature in blue ink, which appears to read "Paul M Fuller". The signature is written in a cursive style.

OUR BELIEFS

Underpinning our Service Vision and Our Aims and Objectives is a statement developed by the Service's Functional Command Team in order to guide all members of the Service in performing their work.



We believe in fostering a happy and capable workforce, in which everyone is valued to do what is right and good to protect and save lives, property and the environment from fire and other emergencies.

We are accountable to our community and will sustain our excellent reputation through high quality services of which we are justly proud.

Our prudent leadership provides stability in changing times to give clear and consistent direction in the delivery of our services.

STRATEGIC AIMS AND OBJECTIVES

Corporate aims express for all our communities and stakeholders the long term intention to develop in a certain way. We have given a great deal of thought and time to how we can capture our intentions in a concise way that everyone can understand.

These aims are broad in nature and provide everyone with a clear focus on the direction in which the organisation is going. The aims help to gauge how much has been achieved after a given time and are set in a framework within which business strategies can be drawn up.

It is our clear aim to:

- **Maximise the safety of our communities by whatever means possible.**
- **Deliver a modern well managed and effective fire and rescue service of which we can all be proud.**

It is important that aims can be converted into achievable actions, the success of which can be measured. The most effective way to do this is to set specific objectives which are deliverable and which will provide us with a method of monitoring our organisational progress.

For the medium term of five years 2008/09 through 2013/14 we have set ourselves four challenging objectives:

- **To reduce the number of fires, emergency incidents and consequential deaths and injuries in our communities.**
- **To manage risk and respond effectively to emergencies.**
- **To create a safe, fair and caring workplace for our staff and develop the competencies they need to fulfill their roles.**
- **To ensure high standards of corporate governance and continued service improvement**

THE GENDER EQUALITY DUTY

The Equality Act 2006 amended the Sex Discrimination Act 1975 to place a Gender Equality Duty (GED) on all public authorities. The GED states that all public bodies are obligated to produce a Gender Equality Scheme (GES). The GES sets out how we and other public bodies will achieve, through application of the general and specific duties (listed below), the desired outcomes associated with the gender equality duty.

For further information on the GED please refer to Appendix A

The Gender Equality Scheme

Public bodies when carrying out their functions must have due regard to the need:

General Duties

- ◇ To eliminate unlawful discrimination and harassment
- ◇ To promote equality of opportunity between men and women

It places a series of specific duties on public authorities that outline the steps needed to achieve the general duty, these in brief are:

Specific Duties

- ◇ To prepare and publish a gender equality scheme – showing how we intend to fulfill the general and specific duties and setting out our gender equality objectives.
- ◇ In formulating our overall gender equality objectives we need to consider the need to have objectives to address the causes of any gender pay gap.
- ◇ To gather and use information on how policies and practices affect gender equality.
- ◇ To consult with employees, service users and others (including trade unions).
- ◇ To assess the impact of current and proposed policies and practices on gender equality.
- ◇ To implement the actions set out in the scheme.
- ◇ To report against the scheme each year and review the scheme at least every three years.

Due regard contains two elements: proportionality and relevance. In practice this principal means that public authorities should prioritise actions to address the most significant gender inequalities within their remit, and take actions which are likely to deliver the best gender equality outcomes.

The requirement for proportionality and relevance should not be interpreted as a simple question of numbers of people affected. That means we will take into account the seriousness or extent of the discrimination, harassment or gender inequality, even if the number of people affected is small. For example, transsexual people where affected should be considered proportionately as their numbers would be likely to be small but the seriousness or extent of discrimination and harassment might be significant.

Equal Pay Audit

Bedfordshire and Luton Fire and Rescue Service have carried out an Equal Pay Health Check which will be formulated into an Action Plan to be delivered over the forthcoming years.

- 1) The process by which we determine whether we have an overall gender pay gap
- 2) The stages of an Equal Pay Audit (guidance provide by the Equal Opportunities Commission).

Our GES Action Plans can be found attached at Appendices B and C

CONTEXT: BEDFORDSHIRE AND LUTON FIRE AND RESCUE SERVICE

Demographic Profile

The UK

Throughout the post war period the proportion of women in employment has been increasing. Between 1971 and 2004 the female employment rate in the UK rose from 42% to 70% (1). Women's participation in further and higher education has also risen substantially.

Despite these changes, and 30 years on from the Equal Pay Act, persistent differences in men's and women's experiences of the labour market remain. Women are much more likely than men to work part-time and take time out of the labour market to care for children and other relatives (2).

As at 2005 there were 30.7 million females and 29.5 million males in the UK, however, currently more males are being born than females (3). Women make up 46% of the UK working population and 77.5% of part time workers are female (4). Currently, of the 74% of Local Government workers who work part-time, 69.9% are women.

Our Community - Bedfordshire and Luton

Bedfordshire and Luton is home to around 560,000.00 people. Some 284,661.00, a little over 50%, are women, leaving the remainder of men at around 281, 280.00.

Analysis of 2001 Data Census for Luton and the East of England region shows that around 276,000.00 living within Bedfordshire (not including Luton) are of working age – that is between the ages of 16 and 74 years of age.

Of these 276,000.00 people 12% are in part-time employment (30 hours or less) and around 46% in full time employment. Some 14% are either unemployed, self employed or are full time students.

Similar to national figures in Bedfordshire men and women of working age are evenly split. However within that split we can begin to identify how men and women's work experience differ. Men are far more likely to work full time;

Source:

(1) Labour Force Survey, ONS

(2) Labour Force Survey 2004

(3) ONS 2005

(4) First Release: Labour Market Trends, National Statistics, May 2006

the 2001 census were shown to make up for around 2.7% of the workforce who work 30 hours or less.

Women on the other hand make up around 21% of the part time workforce and 34% of full time workers. Men feature at 58% of the full time workforce.

Luton

Those of working age in the Luton area stands at 131,660.00. Census information indicates that women in the Luton area make up 17% of the part-time workforce compared with men who represent 3% of part-time workers. Women working full time in Luton stands at 31% with men at about 53%.

Our Workforce

Bedfordshire and Luton Fire and Rescue Service employ around 600 people. The workforce is made up of: Operational Staff including both wholetime and retained duty crews, Fire Control Staff and Fire and Rescue Staff (support staff).

Women represent around 3% of operational firefighters and around 16% of the workforce as a whole.

Men make up 20% of Fire Control Staff, around 23% of Support Staff, and approximately 97% of Operational Staff.

Our Functions

Bedfordshire and Fire and Rescue Service's functional areas of work are as follows:

- ◇ Strategic Planning and Control
- ◇ Service Delivery including: Community Fire Safety, Legislative Fire Safety and Emergency Response
- ◇ Personnel including: Core Personnel, Occupational Health, Recruitment, Equality and Diversity and Policy Development
- ◇ Training, Development and Safety
- ◇ Area Support, Central Community Fire Safety and Technical
- ◇ Corporate and Finance
- ◇ Technical Area Support
- ◇ Information Technology

Service Delivery

We believe there needs to be great emphasis on service delivery and aim to make gender equality central to the way we work. That means we will:

- ◇ Monitor satisfaction and take up levels of services by gender
- ◇ Assess whether there is an adverse impact by gender in the provision of a service or planned service
- ◇ Take positive action to address inequality, disadvantage or discrimination
- ◇ Encourage women and/ or men to use our services where evidence shows that either gender have a low level of take up of particular services
- ◇ Regularly communicate information to the public
- ◇ Consult on service changes, developments and initiatives

Recruitment, Employment, and Training

In order for us to meet our duty as an employer we will need to ensure we have taken due regard to eliminate unlawful discrimination and harassment in our employment practices and actively promote gender equality within our workforce.

This includes discrimination and harassment of transsexual people on the grounds of their gender re-assignment.

The following areas are of particular importance to us.

- ◇ Fair recruitment processes
- ◇ Occupational segregation
- ◇ Work/ life balance
- ◇ Grievance and disciplinary procedures
- ◇ Retirement
- ◇ Equal pay
- ◇ Training and development opportunities

Procurement

Procurement is the process by which we enter into a contract with an external contractor to carry out works or provide goods and services. The Gender Equality Duty applies to those functions which are carried out through procurement as well as those which are carried out directly by Bedfordshire and Luton Fire and Rescue Service.

The procurement process is important to the effective implementation of the general duty because as a public body we enter into a number of contracts with private and voluntary organisations for goods, works and services.

Where a contractor is carrying out work on our behalf; the legal liability for the gender duty remains with us. This means that we, Bedfordshire and Luton Fire and Rescue Service must build relevant gender equality considerations into the procurement process; to ensure that all our functions meet the requirements of the duty, regardless of who is carrying them out.

As you are aware, therefore, the duty requires us to have due regard to the need to eliminate unlawful discrimination and harassment, and to promote equality of opportunity between men and women. This means that the weight given to gender equality should be proportionate to its relevance to a particular procurement.

The Gender Equality Duty Code of Practice lays out its recommendations in this area in the following steps:

- ◇ Identifying need, setting specification and invitations to tender.
- ◇ Selection Stage and Award Stage
- ◇ Terms and Conditions
- ◇ Monitoring and Review

For further information on proportionality and relevance and the recommendations please refer to the Gender Equality Duty Code of Practice.

All procurement contracts are carried out in line with the following policies:

- ◇ National Procurement Strategy for Fire and Rescue Services 2005-2008
- ◇ Bedfordshire and Luton Procurement Strategy
- ◇ Procurement Procedures - V110101
- ◇ Procurement Policy – V0121

Bedfordshire and Luton Fire and Rescue Service will need to make sure that when entering into any procurement and or partnership working that the contractor has the necessary technical skills to enable us to deliver the requirements of the Gender Duty. That means they are able to adequately deliver the contract, paying due regard to gender equality. We will need to make sure that our contractors are aware of the requirements of the gender

equality duty and specify appropriate performance conditions to enable us to meet the requirements of the duty.

Regulation 23 of the Public Contracts Regulations 2006 permits us to exclude candidates or tenderers at the selection stage for relevant convictions or findings of grave misconduct (for example sufficiently serious findings against them in an Employment Tribunal or County Court under the Sex Discrimination Act or the Equal Pay Act).

Regulations 23-29, 30 and 38 of the Public Contracts Regulations 2006 will apply.

Article 53 of European Council Directive 2004/18/EC applies

Partnership Working

Where we are involved in partnership work with other public authorities, or with private or voluntary sector organisations, we are responsible for meeting our gender and other duties.

Where Bedfordshire and Luton Fire and Rescue Service engage in partnership working, we will need to secure agreement from those partners to arrangements for planning, funding and managing joint work that will allow us to meet statutory obligations for gender duty.

DELIVERING THE GENDER EQUALITY SCHEME

Equality Impact Assessment (EIA)

Why we carry out EIA in relation to Gender

As a public body we need to understand whether our policies, plans, strategies, procedures, systems and functions (referred to from now on as policy) are meeting everyone's needs and that people who need our services have access to them. To help us do that we carry out Equality Impact Assessments (EIA).

An EIA is a way of deciding whether an existing or proposed policy does or may affect people differently, and if so whether that impact affects them in a neutral, positive or adverse way.

All policy assessed as 'relevant' are required to proceed to a partial or full impact assessment. 'Relevant' means having implications for (affecting) the general duty in as much as it has, or could have implications for promoting equality of opportunity.

Gender is equality impact assessed as well as race, age, disability, religion and belief, and sexual orientation when we carry out an equality impact assessment.

BLFRS screens all policy for relevance to the duty. As part of the process we look at all current evidence to order to make a professional judgment about whether the policy has or potentially has a differential impact in relation on gender, race, disability, sexual orientation, age or religion or belief.

All consultation undertaken will be documented within the Equality Impact Assessment, and as such will give details of who was consulted with, quantitative and qualitative data, any actions undertaken, and feedback given to those consulted. This will be assessed by the Corporate Equalities Group who will ensure that:

- ◇ Consultation was with the appropriate groups and individuals.
- ◇ The methods used were appropriate to the needs of those groups and individuals.
- ◇ Those consulted with were provided with all the necessary information, so that the process was informed.

The Corporate Equalities Group reports to the Human Resources Scrutiny Group.

We have a policy statement, guidelines and template to assist those carrying out EIA.

We provide training and continued support for people who are responsible for undertaking EIA.

A summary of results of EIA, Action Plans and Consultation exercises will be reported as part of the annual review of the Gender Equality Scheme.

EIA Process

The Equality Impact Assessment process is laid out in our EIA Policy and procedure.

Information Gathering

In order to understand which of our functions has the greatest 'relevance' to gender equality we gather and analyse data on how men and women are affected by our services.

The information we gather plays a crucial role in helping us to determine our equality priorities, conduct effective equality impact assessments, and monitor progress toward our equality objectives.

The information we gather is both qualitative and quantitative.

Data Collection and Monitoring

Data collection and monitoring are processes which involve collecting, storing, analysing and evaluating information to measure performance, progress or change.

Data Handling

All Data handling will be in line with the following service policy.

Monitoring Potential Employees

All potential employees are asked to provide equality monitoring information. This information is requested on a voluntary basis and is collated and stored

separately from recruitment applications and data. By collecting this information we can identify whether sections of our community are not applying or indeed receiving information about employment opportunities. Additionally we can ascertain whether unsuccessful candidates disproportionately represent groups currently underrepresented in the workforce, and seek to remedy.

Monitoring our Workforce

In order to ascertain whether our policies are effective in relation to promoting equality it is vital that we collect equality data information about our employees. This information can help us determine whether our anti-discrimination measures are effective. In line with the Equality and Human Rights Commission (EHRC) recommendations and best practice we seek to collect information about ethnicity, age, gender, disability, religion/ belief and, in line with Stonewall guidance, sexual orientation at point of entry to the organisation.

Equality monitoring information is given on a voluntary basis and is stored separately to any information relating to recruitment processes and in a confidential manner. The information is used to profile our workforce and inform action plans for developing positive action initiatives, reasonable adjustments and other remedial work. We currently monitor all applicants and new entrants into the organisation for ethnicity, disability, religion and belief, sexual orientation, age and gender.

Cultural Audit – Staff Surveys

The views and beliefs of our staff are important to us and as a result BLFRS undertakes to survey their employees' attitudes and views on a wide range of equality issues on a regular basis. The feedback from the staff survey informs equality strategy in areas such as the development of policy, employee training and development, and service delivery.

The staff survey is carried out in a confidential and anonymous way. All completed scripts are returned to an outside agency for processing. BLFRS believed that by conducting the staff the survey in this way we are better able to encourage our staff to disclose sensitive information. From the information received we identify any existing under-representation of equality groups amongst the workforce. This information can also be used to benchmark staff confidence in the organisation over a period of time.

Further to the collection of anonymous information such as that collected during the cultural audit, we believe that it is essential to collect information about individuals so to understand the movement of disabled people in the organisation. The collection of information where staff can identify themselves if they choose helps us build a picture of the progress of disabled people within the organisation and helps us identify inequality in relation to attraction, recruitment, training, retention, and promotion. It is also important to collect information from people who leave the organisation.

Consultation, Involvement and Engagement

Engagement with our community is a priority for BLFRS. We are committed to improving service delivery based on meeting needs and equality in employment. Comments about how we deliver services or how our employees conduct themselves are important to us and our process of monitoring. In response to this commitment, we have established a range of consultation methods to meet the requirements of our EIA:

- Public/ Open meeting
- Use of Media (including the Authority's own staff newsletter)
- Focus groups
- User Surveys (corporate and functional areas)
- Questionnaires and Surveys
- Residents' surveys
- Partnership working
- Consultation with partnership bodies

We will continually seek to improve our consultation through the identification of new and innovative ways to consult. For instance making written information accessible, not only in terms of ethnic minority languages and large print for the visually impaired, but also by the use of 'plain English'

We also aim to ensure that the consultative process is not discriminatory and does not preclude participation on grounds of, amongst other things disability. We will choose venues for consultative meetings carefully, not only in terms of physical accessibility but also in terms of ensuring a welcoming and non-threatening environment.

In particular initiatives will be pursued to ensure the involvement of people who may be under-represented in consultation exercises, including people with disabilities.

Customer Care – User Satisfaction Survey Policy

In the event of a fire, you will receive (where possible) an ‘after your incident’ booklet which contains the *User Satisfaction Survey*. All returns are processed in line with the User Satisfaction Survey Policy.

Monitoring complaints

All complaints will be dealt with fairly, consistently and confidentially. All customer complaints/ compliments will be processed in line with service policy and are open to scrutiny and audit

ENFORCING THE DUTY

Bedfordshire and Luton Fire and Rescue Service

The Combined Fire Authority has overall responsibility for the Gender Equality Scheme.

The Chief Fire Officer and Principal Officers are responsible for ensuring that the scheme is put into action.

Members (Councilors), employees and our colleagues in partner agencies all have a role to play in helping us to meet our duty to promote equality between men and women.

The following arrangements described below ensure that we co-ordinate the work involved in putting the Scheme into practice.

- ◇ There is a Combined Fire Authority Member who is responsible for equal opportunities and chairs the HR Scrutiny Group.
- ◇ A Corporate Equalities Group of Senior Managers from Functional areas ensures effective action is taken to promote equality and reduce disadvantage. The Assistant Chief Fire Officer – Human Resources Director chairs the Corporate Equalities Group.
- ◇ Contained within our three year Action Plan individual or group responsibility has been set out in relation to each of the action points listed.
- ◇ The yearly review will involve all stake holders in identifying unmet targets and further needs. The Corporate Equalities Group will, along with stakeholders, prioritise and where needed amend the action plan.

Equality and Human Rights Commission (EHRC)

The duty will be actively enforced by the EHRC.

The extent to which a public authority has complied with the duty is likely to be assessed on the following criteria:

- ◇ **Information**
- ◇ **Consultation**
- ◇ **Transparency**
- ◇ **Proportionality**
- ◇ **Effectiveness**

The EHRC will be able to issue compliance notices to authorities that are failing to meet the General Duty, and on the Specific Duties. These are enforceable in the courts. Notices state that the authority must meet the Duty and instruct them to tell the EHRC within 28 days what they have done to comply.

If a public authority (including a private or voluntary organisation exercising public functions) does not comply with the General Duty, its actions or failure to act can also be challenged through an application to the High Court/ Court of Sessions for judicial review. An application for judicial review can be made by a person or group of people with an interest in the matter, or by the EHRC.

Public Sector inspection bodies are also subject to the duty and will therefore have to pay due regard to the Duty in their functions. This means that they will have to integrate the requirements of the Gender Equality Duty (GED) into their monitoring and inspecting frameworks and processes.

The GED is different to previous Sex Discrimination Law wherein we must be proactive in eliminating discrimination and harassment, rather than waiting for individuals to take a case against us. It is important to note that we will need to be proactive in promoting equality of opportunity, not just avoiding discrimination.

For a fuller account of the legal framework please refer to Appendix D

REVIEWING THE GENDER EQUALITY SCHEME

We have built into our Action Plan the review process for the Gender Equality Scheme.

We will review our scheme annually and revise it every three years. During the reviews we will determine progress against our objectives and assess in line with our continuous improvement the appropriateness

We will take steps to report on our progress summarising actions taken to ensuring gender equality. Those actions are detailed in our Gender Equality Scheme Action Plan.

We intend to publish a full report of our progress over the three lifespan of the action plan.

In preparing our schemes we will collect and utilize information and data collected and consult with stakeholders and community.

BIBLIOGRAPHY

- A fair deal for women in the workplace' An Interim Statement**, Women and Work Commission, March 2005
- Draft Single Equality Bill**, 2008
- Employment and Discrimination for Trans people**, Whittle, S. Manchester Metropolitan University, 2000
- The Labour Market – analysis of 2001 Data for Luton and the East of England Region**
- Meeting the Gender Duty in Employment**, Equal Opportunities Commission (EOC) Feb 2007.
- Equality and Diversity Report**, CLG, 2009
- Equality and Diversity Strategy**, CLG, 2008-2018
- Meeting the Gender Duty for transsexual people**, EOC, Jan 2007
- Meeting the Gender Duty for transsexual staff** (guidance for Great Britain Public Authorities) 2000
- Putting People First Addendum 'Making Gender Equality a Reality'**, Hertfordshire County Council GES April 2007-1010
- Press for Change (website) 'campaigning for respect and equality for all trans people**, July 2007
- The Gender Equality Duty Code of Practice England and Wales Edition**, EOC Feb, 2007.
- Transgender Equality**, Trade Unions Congress (TUC), July 2004

An Understanding of the Gender Equality Duty

The Gender Equality Duty (GED) is intended to address the fact that, despite 30 years of individual legal rights to sex equality, there is still widespread discrimination sometimes intentional, sometimes unintentional – and persistent gender inequality.

Policies and practices that seem neutral can have a significantly different impact on women and on men, often contributing to greater gender inequality and poor policy outcomes.

The GED is intended to improve this situation, both for men and for women, for boys and for girls.

The term ‘sex’ is used to describe biological differences between men and women. The term ‘gender’ refers to the wider social roles and relationships which structure men’s and women’s lives. Gender inequality exists in all aspects of society and refers to lasting and embedded patterns of advantage and disadvantage.

Both sexes suffer from stereotyping of their roles and needs.

Women

Women are frequently disadvantaged by policies and practices that do not recognise their greater caring responsibilities, the different pattern of their working lives, their more limited access to resources and their greater vulnerability to domestic violence and sexual assault.

Men

Men are also disadvantaged by workplace cultures that do not support their family or childcare responsibilities, by family services that assume they have little or no role in parenting. Or by health services which do not recognise their different needs.

Transsexual and Transgender People

The terms 'Trans' and 'Trans people' is used in those instances when referring to both Transsexual and Trans-gender people.

Trans people often experience harassment – including verbal abuse and physical violence by other employees, customers, clients or suppliers and discrimination in recruitment, promotion, remuneration, benefits and other aspects of employment.

Bedfordshire and Luton Fire and Rescue Service consider this area of inequality generally underdeveloped and as such have developed a separate action plan. This plan will deal specifically with trans-related issues until; by process of evaluation and review the issues associated with this area of work have been successfully mainstreamed.

Importantly it is crucial that as an organisation we do not create by implication or other a third sex.

How the Gender Equality Duty fits into the Broader Equality Picture

Women and men, including transsexual women and men, will experience different forms of disadvantage depending on their age, ethnicity, religion or belief, sexual orientation, marital or civil partnership status and whether or not they have a disability.

In order to understand and address questions of gender equality under the duty, we will need to consider that complexity and whether particular groups of women and men are experiencing particular disadvantage

APPENDIX B

Gender Equality Scheme Action Plan 2007 - 2010

1. Leadership and Corporate Commitment

	Objective	Actions	Measures	Timescales	Responsibility/ Resources
1.1	Authority members and principal managers to commit to the Gender Equality Duty	<ol style="list-style-type: none"> 1. Commit to this agenda 2. Commit to improve through Equality Standard for Local Government/ and BVPI2b 3. Include equality objectives in action plans for managers 	<ol style="list-style-type: none"> 1. Gender Equality Scheme in place 2. Achievement against level 3 by 2010 of Equality Standard for Local Government 3. Individual managers demonstrate progress in promoting equality and diversity 4. IRMP to be explicit with regard to Equality Objectives 	<ol style="list-style-type: none"> 1. 10.2007 2. 04.2010 3. 04.2008 4. SIRM to Advise 	<ol style="list-style-type: none"> 1. PerM 24.10 commitment from HR Scrutiny 2. DCFO – 2,000.00 to assess L3 BVPI2a 3. CEG 4. SIRM
1.2	Identify and challenge stereotyping of men's and women's roles and needs	<ol style="list-style-type: none"> 1. Carry out positive action events 2. Development of Positive Action Strategy 	<ol style="list-style-type: none"> 1. More women firefighters 2. More women in senior posts 3. More men in roles traditionally occupied by women 	<ol style="list-style-type: none"> 1. Dedicated PA Event Bi-annually Nov 2007 2. 2009/ 2010 	<ol style="list-style-type: none"> 1. DA 2. DA

1.3	Carry out an Equal Pay Review (EPR)	See Project Information Detail		April 2008	PerM 5,000.00 for project
1.4	Commitment to continual improvement of gender equality by taking account of gender equality in the planning of services and service delivery.	<ol style="list-style-type: none"> 1. INRA 2. Carry out EIA in line with guidance ensuring men and women are consulted and involved in the planning and assessment of policies and practices 3. Collect, monitor and analyse data at attraction, application, selection, training/ development, promotion and exit 4. Incorporate any updates with regards to Sex Discrimination Law into EIA process 	<ol style="list-style-type: none"> 1. Setting and monitoring of gender equality objectives 2. As above 3. Monitor for report 4. Monitor for report <p>All above items to be contained within the CEG Action plan for Achievement to L3 of ESLG</p>	<ol style="list-style-type: none"> 1. April 2008 2. INRA Action Plan up to 2010/11 3. 2010 4. Ongoing 	<ol style="list-style-type: none"> 1. CEG/ PerM/ DA through CEG action plan and EIA Policy 2. CEG 3. SnrPerA 4. DA

2. Service Delivery and Customer Care

	Objective	Actions	Measures	Timescales	Responsibility/ resources
2.1	Develop monitoring and satisfaction of service users by gender	<ol style="list-style-type: none"> 1. Gather feedback on service delivery and: 2. Use to assist in the setting of Equality Targets in 1.4 to ensure we are meeting the needs of men and women in the community 	<ol style="list-style-type: none"> 1. Monitor for report 2. Monitor for report 	<ol style="list-style-type: none"> 1. Yearly Report 2. Yearly Report 	<ol style="list-style-type: none"> 1. CEG 2. CEG
2.2	Promote gender equality duty within all partnership working including LAA and agencies delivering services on our behalf	<ol style="list-style-type: none"> 1. Review partnership strategy, policies and process in line with promoting gender equality 2. Review our processes for managing procurement contracts 3. Inform all partner agencies of our duty under gender equality 4. Develop working relationships with 	<ol style="list-style-type: none"> 1. Monitor for report 2. Monitor for report 3. Equality including Gender equality objectives in all partnership arrangements including agreements and contracts 4. monitor for report 	<ol style="list-style-type: none"> 1. SIRM to advise 2. HFCS to advise 3. Service to allocate LAA responsibility 4. Yearly 	<ol style="list-style-type: none"> 1. SIRM 2. SIRM/ HFCS 3. DCFO 4. CEG

		organisations representing the interests of men, women including transgender people			
--	--	---	--	--	--

3. Employment and Training

	Objective	Actions	Measures	Timescales	Responsibility/ resources
3.1	Work toward gender balance in all areas of the organisation at all levels	<ol style="list-style-type: none"> 1. Carry out positive action events 2. Develop strategy to increase top 5% of women earners in organisation 3. Audit provision of training for organisation by staff group 4. Monitor and analyse provision and take up of all training for all staff 	<ol style="list-style-type: none"> 1. Increase numbers of women amongst operational roles 2. Increase in the number of women at Crew, Watch, station and Group Manager 3. Report to CEG 4. Report to CEG 	<ol style="list-style-type: none"> 1. Yearly 2. 2008/2009 3. SDSM to Advise 4. SDSM to Advise 	<ol style="list-style-type: none"> 1. DA/ RA 2. ACFO 3. SDSM 4. SDSM
3.2	Raise awareness of gender equality amongst all staff	<ol style="list-style-type: none"> 1. Inform (CFA) members of their roles and responsibilities to gender equality 2. Inform managers of our gender duty in relation to our 	<ol style="list-style-type: none"> 1. Address HR Scrutiny 2. Management Briefing Session/ Roll out of policies for partnership and procurement 3. Blue Bulletin 	<ol style="list-style-type: none"> 1. Oct 2007 2. 2008/ 2009 + SIRM/ HFCS to advise 3. 2008/2009 	<ol style="list-style-type: none"> 1. PerM 2. SIRM/ HFCS 3. DA

		responsibilities for procurement and partners 3. Brief all employees			
3.3	Maintain the privacy and dignity of all our staff	<ol style="list-style-type: none"> 1. Review equal opportunities policy 2. Review harassment and bullying policy 3. Review/ audit of women's facilities on stations 4. Introduction of a domestic violence policy 5. Identify H&B incidents 6. Monitor grievance and disciplinary procedures 	<ol style="list-style-type: none"> 1. Consultation and publication of policy 2. Consultation and publication of policy 3. Private areas in rest rooms on all whole-time stations/ review retained station accommodation 4. Monitor for reports 5. Monitor for reports 6. Monitor for report 	<ol style="list-style-type: none"> 1. Jan 2008 2. Feb 2008 3. HFCS to advise 4. CEG to advise 5. 2008/2009 6. Ongoing yearly to FCT 	<ol style="list-style-type: none"> 1. DA 2. DA 3. HFCS 4. CEG to Identify 5. DA 6. PerO
3.4	Promote and manage supportive working arrangements for parents	<ol style="list-style-type: none"> 1. Promotion and management of a suite of work- life balance policy 2. Availability of 	<ol style="list-style-type: none"> 1. Consultation and publication of a suite of work-life balance policy 2. Monitor for report 3. Monitor for report 4. Monitor for report 	<ol style="list-style-type: none"> 1. Ongoing Apr 2008 2. Intro of process/ Voucher scheme April 	<ol style="list-style-type: none"> 1. PPO 2. SnrPerA/ PPO 3. SnrPerA/ PPO 4. SnrPerA/ PPO 5. Perm/ DA

	and carers	<p>child care vouchers to all staff</p> <p>3. Analysis of applications for request to work flexibly</p> <p>4. Analysis of maternity returning staff</p> <p>5. Promote opportunities for flexible working for senior managers</p>	<p>5. Awareness raising for CEG and address MBS</p>	<p>2008</p> <p>3. 2008/2009</p> <p>4. Yearly 2007/2008</p> <p>5. 2007/2008</p>	
3.5	Reduce any disparity by gender of those leaving the organisation	<p>1. Carry out exit interviews for all staff</p> <p>2. Review the exit interview procedure and process</p>	<p>1. Monitor for report leavers by gender (and other strands)</p> <p>2. New Point of Entry Policy</p>	<p>1. Yearly report 2007/2008</p> <p>2. Dec 2007</p>	PerO PerO/ PPO

Equality Scheme Action Plan for Trans People 2007 - 2010

	Objective	Actions	Measures	Timescales	Responsibility/resources
T.1	Ascertain the needs and requirements and address the impact of policy on Trans community	<ol style="list-style-type: none"> 1. Take account of trans related issues through INRA 2. Carry out EIA to eliminate unlawful discrimination, to achieve positive impact of all business 3. Develop robust consultation and engagement processes to ensure involvement in planning and service development 4. Work with partners to engage with people from the trans – community 5. Eliminate H&B 	<ol style="list-style-type: none"> 1. Process Measures and timescales as detailed in 1.4 of this action plan 		
T.2	Raise awareness of trans related issues in all areas of the organisation	<ol style="list-style-type: none"> 1. Develop EOA Induction course to reflect legislation and best practice 2. Provide Training to 	<ol style="list-style-type: none"> 1. EOA Course reviewed and updated 2. Training resourced and 	<ol style="list-style-type: none"> 1. Apr 2008 2. Mar 2008 3. 2008/2009 4. 2009/2009 	<ol style="list-style-type: none"> 1. DA 2. DCFO 3. DA 4. DA

		<p>CEG to assist in their remit to promote equality.</p> <p>3. Address Managers as to their responsibilities under the Equality Act 2007</p> <p>4. Use Blue Bulletin to raise awareness.</p>	<p>delivered</p> <p>3. E&D Training for middle managers, development of Leonardo managers package for internal training</p> <p>4. Publication in BB</p>		
T.3	Ensure all recruitment and employment processes are fair and equitable	<p>1. Incorporate within monitoring process see 1.4.3 GES Action Plan</p> <p>2. Monitor complaints, grievance and discipline cases</p>	<p>Measures, timescales and responsibilities same as those detailed in 1.4 of this scheme.</p> <p>Comments: In line with Best Practice no monitoring against trans takes place at this time</p>		
T.4	Develop policy to support trans people	<p>1. Review of Equal Opportunities Policy</p> <p>2. Review of H&B Policy</p> <p>3. Develop policy to support transsexual people and the process of gender re-assignment and transitioning.</p> <p>4. Train managers and staff in promoting the fair, equitable and confidential</p>	<p>1. Consultation and publication of EO Policy</p> <p>2. Consultation and publication of H&B Policy</p> <p>3. Consultation and publication of Gender Recognition Policy Etc</p> <p>4. E&D Training for Middle Managers</p>	<p>1. Jan 2008</p> <p>2. Feb 2008</p> <p>3. 2010</p> <p>4. development of Leonardo managers package 2009</p> <p>5. Service to Advise</p>	<p>1. DA</p> <p>2. DA</p> <p>3. DA</p> <p>4. DA</p> <p>5. SIRM/HFCS</p>

		treatment of trans-people 5. Promote equality for trans people in all partnership working	5. Our duty to promote equality for trans people will feature in our partnership working and procurement contracts.		
--	--	--	---	--	--

Legislative Framework

Equal Treatment Directive 1976

The Equal Treatment Directive (EC Directive 76/207/EEC) (now the Consolidated Equal Treatment Directive 2006/54) covers all aspects of employment (access to employment, promotion, vocational guidance and training, working conditions and dismissal). It requires that there shall be "no discrimination whatsoever on grounds of sex, either directly or indirectly by reference in particular to marital or family status".

In 1996, the European Court of Justice ruled that the Equal Treatment Directive (ETD) also covers discrimination on the grounds of transsexualism

Equal Pay Act 1970 and the Sex Discrimination Act 1975

Throughout the post-war period the proportion of women in employment has been increasing. Between 1971 and 2004 the female employment rate in the UK rose from 42% to 70% (1). Women's participation in further and higher education has also risen substantially (2).

Despite these changes, and thirty years on from the Equal Pay Act, persistent differences in men's and women's experiences of the labour market remain. Women are much more likely than men to work part-time and take time out of the labour market to care for children and other relatives (3)

In setting our overall gender objectives we must consider the need to have objectives that address the causes of any differences between the pay of men and women that are related to their sex. As an organisation, therefore we will determine whether our policies and practices are contributing to the causes of the gender pay gap.

There have been some main factors identified as contributing to the gender pay gap and reported on nationally.

- ◇ Discrimination, including pay discrimination (which is often unplanned but nonetheless unlawful)
- ◇ The impact of women's disproportionate share of caring responsibilities which often result in women undertaking part-time work which is often poorly paid and restricts career continuity and progression.

- ◇ The concentration of women in particular occupations, known as occupational segregation, usually characterised by lower levels of pay than in those numerically dominated by men.

Sex Discrimination (Gender Reassignment) Regs 1999

The Sex Discrimination Act was amended by the above legislation in order to make it quite clear that transsexual men and women were expressly included within the Sex Discrimination Act.

Gender reassignment is defined for the purposes of the Act, as a process which is taken under medical supervision for the purpose of reassigning a person's sex by changing physiological or other characteristics of sex, and includes any part of such a process.

Gender Recognition Act 2004

The Gender Recognition Act gives legal recognition, in their acquired gender, to transsexual people. They must satisfy the Gender Recognition Panel that they are:

- ◇ Have or have had gender dysphoria.
- ◇ Have lived in the acquired gender for a period of two years prior to the application
- ◇ Intend to live permanently in the acquired gender
- ◇ Have provided medical reports containing specified information

Outside the employment context, the Gender Recognition Act 2004 has ensured that transsexual people who have successfully registered with the Gender Recognition Panel, will be recognised, can marry, and be given a new birth certificate all using their acquired gender.

Goods and Services Directive 2004/13

The scope of legal protection against discrimination on grounds of gender re-assignment will be extended within the Sex Discrimination Act by the implementations of the Goods and Services Directive. This will be implemented by December 2007. From the date of implementation public authorities will be under a duty to have due regard to the need to eliminate unlawful discrimination and harassment on grounds of gender re-assignment in the provision of goods, facilities and services and the disposal and management of premises.

Equality Act 2006

The Equality Act 2006 amended the Sex Discrimination Act 1975 and put in place the following provisions:

1. Establish the Commission for Equality and Human Rights
2. Make unlawful discrimination on grounds of religion/ belief and sexual orientation in the provision of goods, facilities and services, education, the use and disposal of premises and the exercise of public functions.
3. Create a duty on public authorities to promote equality of opportunity between men and women (The Gender Duty) and prohibit sex discrimination and harassment in the exercise of public functions.

The Commission for Equality and Human Rights will take up the work of the existing commissions and will additionally assume responsibility for promoting equality of opportunity and combating unlawful discrimination on the grounds of age, sexual orientation and religion or belief. The Commission for Equality and human Rights will also have responsibility for the promotion of human rights.

As previously mentioned the Gender Equality Act came into force April 2007; stating that Public Bodies are obligated to have a Gender Equality Scheme in place by the end of April 2007.

Other Relevant Legislation

- ◇ Employment Rights Act 1996 (provisions relating to maternity leave and dependant carer leave)
- ◇ Protection from Harassment Act 1997
- ◇ The Maternity and Parental Leave Regs 1999 (SI 1999/3312)
- ◇ The Part-Time Workers (prevention of less favourable treatment) Regs 2000 (SI 2000/1551)
- ◇ Employment Act 2003 (Flexible Working Regs)
- ◇ The Sex Discrimination Act 1975 (Amendment Regs) 2003 (SI 2003/1657)
- ◇ The Human Rights Act 1998
- ◇ The Employment Equality (Sex Discrimination) Regs 2005 (SI 2005/2467)

- ◇ The Occupational Pensions Scheme (Equal Treatment) (Amendment) Regs 2005 (SI2005/1923)
- ◇ Work and Families Act 2006

We will take account of changes in the future to sex equality legislation which may affect the definition of unlawful discrimination and harassment under the duty.

Transgender People - Guidance Notes

Introduction

Transgender people are people who identify their gender to be different from the physical sex at birth. Transgenderism, sometimes known as gender dysphoria, is recognised as a medical condition. It is accompanied by a sense of discomfort with one's physical body and a wish to go through a process of gender reassignment or transition.

Some transgender people undergo medical treatment; that is gender reassignment, which can include cosmetic treatment, such as electrolysis for hair removal, hormone therapy and or reconstructive surgery. Some people elect not to undergo medical or other treatment and simply live their life in their new gender role. It is very much an individual decision.

The term transsexual is usually used to describe a person who intends to undergo, is undergoing, or has undergone gender reassignment (which may or may not involve hormone therapy or surgery). **People who identify as Transsexual are currently offered legal protection under UK Sex Discrimination Law, and is so covered by the provisions of the gender equality duty.**

It is important to note that although transgender make up a small percentage of the population and statistically we may, as an organisation deal with transgender people rarely, as a public body we are under a duty to have regard to the need to eliminate discrimination and harassment on the grounds of gender re-assignment.

Due regards means that the weight given to the need to eliminate discrimination and harassment is proportionate to its relevance to a particular function. That means we will need to take into account the seriousness or extent of the discrimination or harassment, even if the number of people affected is small.

Bedfordshire and Luton Fire and Rescue Service will, in line with legislation and best practice review all functions, policies and procedures to ensure we adequately cover transsexual employees, service users and those that we work with in other capacities such as partnership working and procurement.

In particular polices etc dealing with recruitment, confidentiality, harassment, access to training and development, occupational pensions and insurance are a high priority.

Definitions

The words to describe transgender or transsexual people and associated issues are often used imprecisely, and the use of wrong terminology can cause distress. Therefore it is important that BLFRS are aware of and use the correct terms.

Trans

A generic term generally used by those who identify themselves as transgender, transsexual or transvestite.

Transgender

A term used to include transsexuals, transvestites and cross dressers. A transgenderist can also be a person who, like a transsexual person, sometimes with the help of hormone therapy and/ or cosmetic surgery wishes to live in the gender role of choice, but has not undergone and generally does not intend to undergo surgery.

Transsexual

A transsexual person is someone who feels a consistent and overwhelming desire to transition and fulfil their life as a member of the opposite gender. Most transsexual people actively desire and complete sex reassignment surgery. However, it is important to note that not all transsexual people will go through surgery, sometimes because they cannot, for medical reasons.

Please note that the terms trans, transsexual and transgender should be used as adjectives; individuals should be referred to as transsexual people or transgender people, not transsexuals or transgendereds.

Transvestite

The term used to describe a person who dresses in the clothing of the opposite sex. Generally, transvestites do not wish to alter their body and do not necessarily experience gender dysphoria. They are not covered by legislation.

Gender Presentation / Gender Expression

While gender identity is subjective and internal to the individual, the presentation of one's self either through personality or clothing is what is perceived by others. Typically, transsexual people seek to make their gender expression or presentation match their gender identity, rather than their birth sex.

When a trans person is in the clothes of their preferred gender and wishes to be treated as that gender, they 'present'.

Transition

A term used by transsexual people and those providing their medical treatment, meaning the process and period of changing their sex and gender to match their gender identity. Some people might regard their transition as starting from the day they start living permanently in their acquired gender, or the day they legally change their name

Gender Reassignment

The process that is undertaken under medical supervision for the purpose of reassigning a person's sex by changing physiological or other characteristics of sex, and includes any part of such a process (as defined by the Sex Discrimination (Gender Reassignment) Regs 1999).

The term 'sex change' should not be used as it can be considered inappropriate.

Gender Recognition Certificate (GRC)

A full GRC can only be issued to an unmarried applicant although an interim GRC may be issued until a marriage is dissolved or annulled, when a full GRC can be issued. There will continue to be people who are living in their acquired gender but who do not have a GRC and remain legally of their birth gender.

The criteria for obtaining a GRC include a requirement to have been living fully in the acquired gender for at least two years. Consequently, for at least the first two years following their effective transition, the person will not be eligible for a GRC. Seeking a GRC is optional and not every transsexual person will do so, perhaps for financial reasons or because they are in an existing marriage which precludes their eligibility for a full GRC.

A person with a full GRC will be able to permanently change their employment records to reflect their acquired gender. It is possible that someone will have obtained a GRC but still be undergoing or awaiting various forms of treatment to support their transition, but this is immaterial to their legal status.

Workplace Issues and Guidance

The Commission for Equality and Human Rights provide guidance for public authorities in its publication 'Meeting the Gender Duty for Transsexual Staff (Feb 2007). Further to this the Department of Trade and Industry (DTI) funded and published 'Gender Reassignment – a Guide for Employers (Jan 2005).

These notes and guidance explore many areas of good practice such as, the transition period, human resource issues and pensions. Additionally they deal with the legal framework and other particular issues in employment.

Supporting Law

The Sex Discrimination Act 1975

Data Protection Act 1988

Sex Discrimination (Gender re-assignment) Regs 1999

Goods and Services Directive 2004/13

Gender Recognition Act 2004

Equality Act 2006

Section 22 of the Gender Recognition Act 2004 demonstrates that it is a criminal offence for anyone who has obtained information in an official capacity to disclose that a person has a gender recognition certificate. The penalty for such a disclosure can attract a fine of up to £5,000.00.