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Metropolitan Police Authority

Equality and Diversity Policy – Draft for Consultation

1. Introduction

- 1.1 The Metropolitan Police Authority (MPA) recognises that attracting and retaining the very best members and staff who are reflective of London's rich and diverse communities is a fundamental part of the corporate strategy of the MPA and will enable it to support, monitor and provide governance to the Metropolitan Police Service more effectively and efficiently to ensure that it achieves the credibility of Londoners and is enabled to 'police by consent'.
- 1.2 The MPA Equal Opportunities[AD1] and Diversity Policy goes wider than a traditional equal opportunities policy. It forms the basis for all the MPA's Equality Policies and its Corporate Equality Plan.
- 1.3 The MPA is committed to providing equality of opportunity by aiming to ensure that its practices and procedures follow and exceed legal requirements and good practice as recommended by: the Commission for Racial Equality (CRE); the Equal Opportunities Commission (EOC); the Disability Rights Commission (DRC); the Chartered Institute of Personnel and Development (CIPD). Our decision to work to achieve Level Five of the Local Government Equalities Standard is a clear demonstration of the strong commitment of this Authority towards being an exemplary equalities organisation in London.
- 1.4 This policy sets out how the MPA intends to meet those commitments. This policy should be read in conjunction with the MPA's Race Equality Policy, Gender Equality Policy, Disability Policy, Sexual Orientation Equality Policy, and Religion or Belief Equality Policy.

2. Scope of the Equality and Diversity Policy

- 2.1 It is our policy to treat everyone fairly and equitably whatever their gender, race or culture, disability, age, marital status, religious beliefs, sexual orientation.
- 2.2 The policy applies to all members, employees, prospective employees and others acting on behalf of the MPA and to people using the MPA's services.

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3. Purpose of the Equality and Diversity Policy

3.1 The purpose of this policy is to:

- Promote equality, value diversity, ensure fairness, justice and equality of access and opportunity;
- Identify any barriers to progressing equalities and diversity and eliminate unlawful discrimination, the underlying causes and taking remedial and preventative action where these become apparent;
- Ensuring that its governance of equality and diversity performance and practices of the MPS is effective to secure lasting and sustainable institutional changes that lead to increased public trust and confidence in the police, especially within traditionally excluded communities.

3.2 The MPA recognises that the development of an Equality and Diversity Policy will assist the MPA to identify its aims and aspirations for equality and diversity and the means by which this will be achieved at

- Corporate level
- Departmental level
- Individual level

4. The MPA's Commitment

4.1 The MPA will strive to become an organisation where the differences people bring to the workplace are valued. The promotion of an equality culture will be strongly encouraged. All members of staff will be treated fairly and enabled to maintain their personal dignity whilst at work. All MPA Members will abide by the Members?? Code of Conduct and will treat staff with dignity and respect. We aim to ensure that individually and collectively we adopt an ethical approach, which ensures that we are accountable to our stakeholders, i.e. staff, customers and suppliers, as well as the communities and environment within which we operate. We will take steps to deal promptly with any instance brought to our attention where any member, staff or partners¹ treat others (internal and external to the MPA) in a manner that is disrespectful and/or discriminatory.

4.2 The values underlying our policies will also serve to inform our partners, stakeholders and users of the policing service as well as people who live and work in London about the equal opportunities and diversity expectations that they can expect of the MPA. Crucially, our values outline the high standard of policy,

¹ By partners we mean those organisations that we work in close partnership with and have a shared equalities commitment.

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performance and policing service delivery that we expect and demand from the Metropolitan Police Service. The MPA requires continuous improvement in the delivery of policing services to ensure that the diverse communities who live and work in London develop greater trust and confidence in the police.

- 4.3 We will ensure that valuing diversity is taken into account in everything we do by integrating it in MPA's mainstream business planning, performance management and appraisal process. We will promote the integration of equalities and diversity in the process of preparing and implementing all policies, measures and activities. We will take actions to ensure that the outcomes of our policies do not impact negatively on any group in London.
- 4.4 All those in management and leadership roles will, through their defined responsibilities, be proactive in promoting diversity and equal opportunities, and in tackling and overcoming unlawful discrimination.

5. Aims

5.1 The MPA's commitment is embodied in the following aims:

5.2 *The MPA as a **Public Authority***

Corporate Commitment

- We will commit ourselves to promoting equality of opportunity and valuing diversity in everything we do and will work with and support the Metropolitan Police Service to maintain this commitment.
- We will publicise our equality values to ensure that the whole community is aware of our commitment to good equality practices and the elimination of discrimination.
- We will treat people that we come into contact with during our business equitably and with respect.
- We will seek feedback from other stakeholders, partners and the people who live and work in London to find out how we are doing in implementing our equalities commitments.

Accountability

- We will set ourselves goals, targets and measures of success for all equalities areas and monitor our progress towards achieving them.
- We will publish assessments of our progress and consult our staff, partners and others about how we can improve our performance.
- We will strive to ensure we are accessible to the public and responsive to their legitimate needs.
- We will publish our 'comments, complaints and compliments' policy in accessible formats so that members of the public can comment, compliment or raise complaints on matters of

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concern about the way in which they are treated by the MPA staff. We will take steps to ensure that no group, community or individual is disadvantaged through information being inaccessible to them.

- We will be transparent and accommodating in the information that we give to the public should they wish to make a complaint about police performance, practice or a specific police officer.

Working in Partnership

- We will work with the MPS, GLA and government departments and key partners and stakeholders to promote valuing diversity and to learn from each other to ensure that continuous reduction in crime and community safety matters remains a priority for all.
- We will support our members to ensure that they can achieve the objectives of the MPA in their work with key partners and stakeholders.
- We will support our members and staff who are subjected to inappropriate treatment that is not in line with our dignity and respect policy and take steps to address this with the organisation/group concerned.
- We will improve our contacts with groups that are representative of London's diverse communities to secure public trust and confidence in the policing of London.
- We will undertake community needs assessments, seek feedback and monitor the effectiveness of the police service to London's diverse communities and measure its effectiveness in making London a safer place for all
- We will work through our members' committees, working groups and other structures to ensure that good equal opportunities principles, practices, values are demonstrated to all with whom we work and do business.
- We will make representations to promote improved provision for diverse groups in employment and service delivery including changes in legislation.

5.3 *The MPA as a Service Provider*

Assessing Service Users' Needs

- We will make greater efforts to assess the differing needs and expectations of all our stakeholders and the communities serviced by the MPA.
- We will strive to ensure all service users express equitable levels of satisfaction.
- We will strive to ensure that the people of London have equal access to our services and are treated equitably and with respect.

Improving policing services for all communities, groups and individuals

- We will influence the development of quality services that meet the needs and expectation of our partners, stakeholders and London's diverse communities
- We will ensure that we are transparent in the ways in which we execute our accountability of the police service.

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- We will continually monitor the race, equality and diversity performance of the police and set targets that will lead to improved community trust and confidence.
- We will seek the views of the public in order to set policing objectives that reflect their community safety needs.
- We will aim to ensure that the views of local communities, groups and key stakeholders are sought to inform our policy decisions.
- We will be responsive to the observations, views and comments raised by members of the public.
- We will work with the police service to ensure that persistent and difficult issues that negatively affect communities, groups or individuals are addressed.

5.4 *The MPA as a **Policy Maker***

- We will take actions to ensure that the outcomes of our policies do not impact negatively on any group in London.
- We will meet the requirements of the Race Relations (Amendment) Act 2000 by carrying out impact assessments on all proposed policies and existing policies to ensure that the potential for negative discriminatory impact is eliminated.
- We will work to ensure that the principles of race, equalities and diversity are built into all our policies and procedures and that these are regularly monitored and externally verified where appropriate.
- We will provide scrutiny on all MPS strategic and operational policies by requiring equality impact assessment reporting to be presented to the relevant committee(s).
- We will strive to ensure our staff are aware of their responsibilities in delivering our policies in a fair and equitable manner.
- We will expect all managers to be responsible for identifying and acting on equalities and diversity issues and for ensuring that they make and implement policies and procedures in a way which is consistent with the Authority's commitment to race, equal opportunities and diversity.

5.5 *The MPA as an **Exemplary Employer***

Staffing Recruitment and Selection

- We will aim to achieve Level III of the Local Government Equality Standards by 2003 and Level V by 2005.
- We will demonstrate the highest level of commitment by signing up to the CRE leadership challenge.
- We will set annual equality and diversity objectives and targets which will be published and made available to the public.
- We will provide information about the Authority to all applicants and offer feedback and encouragement to those who are unsuccessful to help them improve their personal performance.

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- We will strive to become an organisation more representative of the society we serve by increasing the diversity of our workforce while appointing and promoting people solely on merit.
- We will strive to ensure that the MPA attracts applicants' representative of the communities of London.
- We will ensure that our recruitment procedures are fair and that we recruit the best applicants.
- We will design our selection processes to attract the best applicants.
- We will ensure that all staff who sit on recruitment and promotion panels receive appropriate training in equal opportunities in employment.

Developing our Staff

- We will develop our staff to their full potential by providing equality of opportunities to enable them to achieve their full potential.
- We will strive to ensure that there is equal access for all training, development and career opportunities within the Authority.
- We will train and encourage managers to ensure quality of access to appropriate learning and development opportunities for staff from all sections of society.
- We will provide specific training to all our staff to increase their understanding of equality, diversity and fairness at work.
- We will adopt positive action programmes as permitted under the Race Relations Act 1976 to assist staff from underrepresented groups to prepare to apply for promotion and development opportunities.
- We will provide support and advice to all our staff to enable them to understand and apply our policies.

Performance Management

- We aim to ensure that our performance management systems including pay, appraisal, bonuses and non-monetary reward and recognition are applied equitably and do not unfairly disadvantage certain groups.
- We will ensure our performance management systems are monitored and analysed and revised as appropriate.
- We will promote our family friendly and work/life balance policies and support the MPS to implement similar practices.
- We will provide opportunities for staff development, appropriate leave provisions and support to staff to help them balance their work and home lives.
- We will raise awareness of the importance of developing an understanding of the competing demands in achieving work/life balance.

Widening our appeal as an employer

- We will ensure that our procedures for filling vacancies and promoting people are fair and equitable

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- All applicants for appointment will be dealt with fairly and equitably and in a way that does not adversely discriminate unfairly against any person.
- We will support our staff networks to enable the views of staff from different sections of society to be directly expressed to senior management.
- All members of staff will have access to support, mentoring and special needs facilities, which lead to family and culture friendly work practices, the avoidance of bullying and the maintenance of personal dignity.
- We will provide effective processes and opportunities for staff to identify problems and give feedback to members/senior and line managers

5.6 *The MPA as a **Communicator***

- We will strive to achieve an organisational culture which is open and encourages all staff to contribute to its continuous development.
- We will support social and other non-work activities that contribute to improved communication between members and staff at the MPA.
- We will present ourselves to the outside world as an organisation that recognises, reflects and values the diversity of its own people and the society it serves.

5.7 *The MPA as a **Purchaser of Goods and Services***

- We increasingly only purchase goods and services with those organisations and groups that share our commitment to valuing diversity and providing equality of opportunity.
- We will publish our equalities and diversity procurement statement so that our potential business partners are aware of our equalities values.
- We will continuously monitor our own and the MPS performance in implementing equality of opportunity in the procurement process.
- We will continuously monitor and review our procurement processes and practices to ensure that these are compliant with the Race Relations (Amendment) Act 2000

6. Monitoring and Assessing Effectiveness

- 6.1 The MPA will collect, analyse and assess relevant data, in order to measure performance and effectiveness and consider how improvements could be made through the setting of targets or other action. (The MPA is committed to effective action to eliminate all forms of unlawful discrimination[AD2].)
- 6.2 Staff monitoring will cover all activities that relate to staff recruitment, selection, performance management, career development, retention, training, opportunities for progression, support networks, disciplinary proceedings, grievances, and staff leaving employment.

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6.3 Monitoring information will be regularly assessed and reported to the Equal Opportunities and Diversity Board and Finance Committee to evaluate the progress that the MPA is making towards meeting its objectives. These assessments will assist the MPA to:

- Welcome and encourage diversity;
- Identify and eliminate barriers to diversity;
- Take advantage of the positive action provisions of the relevant equality legislation where necessary and appropriate; and
- Decide what more can be done realistically to improve the recruitment, retention and progression of staff.

7. Roles and Responsibilities

- 7.1 The implementation and monitoring of this policy is the responsibility of the Equal Opportunities and Diversity Board, the MPA, the Clerk to the Authority and all those with responsibility for progressing key aspects of this policy. The Head of Race and Diversity will be responsible for ensuring that the Clerk, managers and all staff are advised on all aspects of this policy and are supported to implement it.
- 7.2 This policy will be monitored and reviewed after its first year in operation by the MPA Internal Equal Opportunities Group who will report to the Equal Opportunities and Diversity Board with a view to determining progress and in order to refine action plans for the next five years.

7.3 ***The MPA Senior Management Team*** is responsible for ensuring that:

- the MPA complies with all the anti-discriminatory legislation requirements, in particular the Race Relations (Amendment) Act 2000, the Disability Discrimination Act 1995, Sex Discrimination Acts 1975 and 1985, and the Equality Regulations on Sexual Orientation and Religion and Belief which came into force in December 2003; with assistance from the senior managers and team leaders ensuring that the policy and its related action plans, procedures, strategies and arrangements are implemented; and
- the policy is continuously reviewed, and all staff are provided with and attend appropriate training.

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7.4 ***The Equal Opportunities and Diversity Board*** lead on the development of the *Equality and Diversity Policy*, oversees its implementation, and will have specific responsibilities for:

- co-ordinating equality and diversity work in accordance with the terms of reference; and
- providing guidance to the Senior Management Group and members.

7.5 ***The Chairs of the MPA's Committees*** are responsible for ensuring that the equal opportunities and diversity principles are built into all the MPA's policies and procedures through the work of the Committees they lead.

7.6 ***The Chair of the MPA and the Clerk*** are responsible for:

- ensuring that the policy and its related procedures, mechanisms and strategies are implemented effectively;
- providing a consistently high profile lead on issues covered by the policy;
- ensuring that all staff are aware of their responsibilities under the policy; and
- ensuring that appropriate action, under the policy, is taken against staff or those who are found to have acted in any way in an unlawfully discriminatory manner.

7.7 ***The Head of Race and Diversity*** has responsibility for the development, co-ordination, dissemination, and monitoring of this policy in respect of staff, with specific responsibility for:

- promoting equal opportunities and the management of diversity and raising awareness of equality issues across the MPA's core business;
- providing appropriate training and information opportunities to staff and members in support of the policy and adequately supporting them in order for them to fulfill their responsibilities appropriately;
- providing and publishing monitoring data in respect of staff in support of the policy;
- identifying and designating members of staff throughout the MPA to deal with reported incidents of racism or harassment; and
- maintaining a contact list of the member of staff within each team who is responsible for co-ordinating and mainstreaming equality and diversity work.

7.8 ***Heads of Department*** should:

- implement the policy and its related procedures and strategies, including local policy planning and review;
- identify and support a person within their area/department who is responsible for coordinating and mainstreaming equality work;
- ensure that staff are aware of their responsibilities and give appropriate training and support;

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- take appropriate action against staff who discriminate unlawfully; and
- ensure external partners are aware of the policy.

7.9 **All staff should:**

- promote equality and diversity in their day to day work

7.10 It is expected that **all those working with the MPA** will abide by the principles of this policy.

7.11 The **MPA's Purchasing Officer** is responsible for ensuring that contractors and suppliers are aware of, and comply with this policy.

8. Breaches of the Policy

8.1 The MPA expects all staff, members, and partners to comply with this policy and will not tolerate any acts of unlawful discrimination or harassment. Any such acts will be investigated and where appropriate dealt with under relevant disciplinary procedures.

9. Complaints

9.1 All staff and members have the right to make a complaint of a breach of this policy. This will be dealt with promptly, fairly and confidentially.

9.2 The MPA treats acts of discrimination and harassment extremely seriously and will seek to safeguard all parties during the investigation of allegations. Disciplinary action will be taken, as appropriate, where allegations of discrimination or harassment are founded or where allegations are found to be vexatious and have caused unnecessary distress to colleagues.

9.3 The MPA will ensure that staff who make a complaint of unlawful discrimination or harassment are fully supported and are not victimised as a result of making a complaint.

9.4 Staff who have concerns about discrimination or harassment should contact their line manager.

9.5 Staff who consider that they have been subject to harassment have the right to make a complaint under the MPA's Harassment Policy and Procedures. Details can be found in the Staff Handbook.

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9.6 Staff who consider they have been subject to unlawful discrimination or harassment have the right to make a complaint under the MPA's Grievance Procedure.

10. Maintenance and Review

10.1 The MPA will:

- Ensure that all staff, members and partners are made fully aware of their responsibilities under the policy and informed of their obligations under the relevant legislation;
- Provide relevant briefing/training to all staff and members on areas related to the policy and its implementation;
- Welcome diversity and promote equal opportunities and good race relations, assess, review and revise other MPA policies for their effectiveness and impact in eliminating discrimination;
- Use cross-referencing to ensure clear links between the Equality and Diversity policy and other MPA policies and functions;
- Include equal opportunities and diversity impact questions into policy development and planning processes; and
- Use the assessment and monitoring findings to expand, revise, update, improve and maintain the Equality and Diversity Policy and also establish or revise priorities, targets and initiatives in appropriate strategic plans.

10.2 The MPA will review the Equality and Diversity Policy on a regular basis, ensuring that key stakeholders are involved in the assessment and monitoring procedures and processes and consult with stakeholders to improve the effectiveness of such procedures and processes.

11. Publishing Arrangements

11.1 The MPA will:

- Publicise and promote the policy through the MPA's website, the Staff Handbook and articles in relevant newsletters;
- Make a copy of the policy available to current staff and issue new staff with a copy of the policy with their contract of employment;
- Make new staff aware of this policy as part of the central induction process.

12. Vicarious Liability

12.1 Heads of Department and line managers should be aware that any form of discrimination against members of staff or colleagues might result in formal

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proceedings against them at an Employment Tribunal. In such cases the Head of Department or line manager would be required to attend the Tribunal and could, if the case were proven, be deemed to be vicariously liable for any such discrimination.

13. Definitions

13.1 Note

The Race Relations Act 1976 and amendments, the Sex Discrimination Act 1975 and amendments and the Disability Discrimination Act 1995 plus amendments cover discrimination in relation to premises, education, goods, facilities and services and other areas as well as employment. The new Employment Equality Regulations on Sexual Orientation and Religion and Belief 2003 only cover discrimination in relation to employment.

13.2 Race Discrimination

Direct Discrimination on the grounds of Race¹

This is treating one person less favourably than another on racial grounds.

Direct discrimination is unlawful under the Race Relations Act 1976.

For example, racist abuse and harassment are forms of direct discrimination.

Racial harassment would include someone engaging in unwanted conduct which has the purpose or effect of violating another person's dignity or is creating an intimidating, hostile, degrading, humiliating or offensive environment.

Indirect Discrimination on the grounds of Race¹

This occurs when a rule or condition which applies equally to everyone:

- can be met by a considerably smaller proportion of people from a particular racial group;
- is to the disadvantage of that group; and
- can not be justified on non-racial grounds.

All three conditions must apply.

Indirect discrimination on the grounds of Race also occurs when a 'provision, criterion or practice', which applies equally to everyone, substantially disadvantages people from a particular racial group.

For example, a rule that employees must not wear headgear could exclude Sikh men who wear a turban, or Jewish men who wear a yarmulka, in accordance with practice within their racial group.

Note: The Race Relations Act 1976 (Amendment) Regulations brought in a new definition of indirect discrimination on grounds of race or ethnic or national origin. However, the original definition of indirect discrimination applies in complaints of discrimination based on grounds of colour or nationality.

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Victimisation on the grounds of Race1

This is punishing or treating someone unfairly because they have made a complaint of racial discrimination, or are thought to have done so; or because they have supported someone else who has made a complaint of racial discrimination. Victimisation is defined as unlawful under the Race Relations Act

13.3 Sex Discrimination

Direct discrimination on grounds of gender?

Direct sex discrimination is less favourable treatment of a woman than a man (or vice versa) because of her sex. If the less favourable treatment is for reasons connected with pregnancy, or maternity, this is automatically direct sex discrimination since men do not get pregnant and would, therefore, not be treated in the same way. Direct discrimination is unlawful under the Sex Discrimination Act 1975.

Most sexual harassment is direct discrimination, because you are being treated in a way a person of the other sex would not be treated.

Direct discrimination on the grounds of marital status is less favourable treatment of a married person compared with a single person of the same sex.

Discrimination on grounds that someone is not married is not unlawful.

For example, not giving a married woman equal treatment compared with other single women competitors for a post, because she might have a baby in the near future.

Indirect discrimination on the grounds of gender

Indirect sex discrimination occurs when an employer applies a provision, criterion or practice, which is to the detriment of a considerably larger proportion of women than men (or vice versa) unless the provision, criterion or practice is genuinely necessary.

For example, a mortgage provider who will only lend to full time workers. Many more women than men work part time but not all of them are on the low wages typically associated with women's part time work. Some will be in well-paid secure jobs, so it may be unreasonable to have a blanket ban on part time workers. A rule saying that only people more than six feet tall will be hired will exclude far more women than men and will be unlawful sex discrimination unless the employer can show the rule is an appropriate and proportionate way of meeting a genuine business need.

Victimisation on the grounds of gender

Victimisation occurs when you are treated less favourably than others because you acted in good faith to assert your rights under the SDA or the Equal Pay Act.

For example, being taken off more challenging work because you complained about not being allowed reasonable time off for antenatal visits.

13.4 Disability Discrimination

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Definition

A disabled person is described in the Disability Discrimination Act 1995 as anyone 'with a physical or mental impairment, which has a substantial and long term adverse effect upon their ability to carry out normal day-to-day activities'.

This definition includes not just those with mobility or sensory impairments but also a wide range of other impairments including mental health problems such as depression, learning difficulties including dyslexia, diabetes, heart conditions, progressive and fluctuating conditions such as Multiple Sclerosis or epilepsy. A long-term adverse effect is one which has lasted at least twelve months or is likely to last permanently.

Types of discrimination under the DDA 1995

- Less favourable treatment for a reason related to the worker's disability.
- Failure to comply with a duty to make reasonable adjustment in relation to the disabled workers. This can be an unlawful act of discrimination in itself.
- Victimisation: where a worker is punished or treated differently as a result of complaining about discrimination or raising the issue or doing any other 'protected act'. It is the equivalent to unlawful victimisation under the RRA 1976 and SDA 1975 and the same case law applies to all three Acts.

13.4 Religious Discrimination

As part of the European Council's general Framework Directive, discrimination on grounds of religion was made unlawful in December 2003 through the Employment Equality (Religion or Belief) Regulations 2003. The Regulations are structured in a similar way to the RRA 1976 and SDA 1975. The usual concepts of discrimination apply ie. direct discrimination, indirect discrimination, victimisation and harassment.

Definition

'Religion or belief' is defined as meaning any 'religion, religious belief or similar philosophical belief'.

13.5 Discrimination against gay men and lesbians

As part of the European Council's general Framework Directive, discrimination on grounds of sexual orientation was made unlawful in December 2003 through the Employment Equality (Sexual Orientation) Regulations 2003.

The Regulations are structured in a similar way to the RRA 1976 and SDA 1975. The usual concepts of discrimination apply i.e. direct discrimination, indirect discrimination, victimisation and harassment.

Definition

Sexual orientation is defined as being an orientation towards:

- Persons of the same sex;
- Persons of the opposite sex; or
- Persons of the same and opposite sex

The legislation does not extend to sexual practices.

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Metropolitan Police Authority

Race Equality Policy – Draft for Consultation

1. Introduction

- 1.1 The Metropolitan Police Authority aims to promote race equality and equal opportunities in all its operations, to proactively value and celebrate the cultural diversity of its staff and to prevent unlawful race discrimination in the ways in which it undertakes its key statutory functions and in its governance of the Metropolitan Police Service.
- 1.2 The Race Relations (Amendment) Act 2000 (RR(A)A) seeks to tackle institutional racism in the public sector. Institutional racism is defined as: “the collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes, attitudes or behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness, and racist stereotyping which disadvantage minority ethnic people”.²
- 1.3 The Metropolitan Police Authority acknowledges the danger of institutional racism and, where necessary, it will take all practicable steps to eliminate racial discrimination and to promote racial equality and good race relations.
- 1.4 The Act places a general duty on public bodies including the MPA and the MPS to:
 - promote equality of opportunity;
 - promote good relations between people of different racial groups; and
 - eliminate unlawful racial discrimination
- 1.5 The Act required the MPA to develop a Race Equality Scheme, outlining the ways in which it will meet the specific and general duties of the Act. The MPA published its Race Equality Scheme and Action Plan in April 2002. This is appended to this policy.
- 1.6 The Race Equality Policy should be read in conjunction with the Metropolitan Police Authority’s Equal Opportunities and Diversity Policy and specific Equality Policies covering Disability, Gender, Religion and Belief and Sexual Orientation.

² Report of the Stephen Lawrence Inquiry 1999

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2. Scope of the Race Equality Policy

- 2.1 It is our policy to treat everyone fairly and equitably whatever their gender, race or culture, disability, age, marital status, religious beliefs or sexual orientation.
- 2.2 The policy applies to all members, employees, prospective employees and others acting on behalf of the MPA and to people using the MPA's services.

3. Purpose of the Race Equality Policy

3.1 The purpose of this policy is to:

- promote race equality, value diversity, ensure fairness, justice and equality of access and opportunity;
- identify any barriers to progressing equalities and eliminating unlawful discrimination, their underlying causes and taking remedial and preventative action where these become apparent;
- ensuring that its governance of the race equality performance and practices of the MPS is competent to secure lasting and sustainable institutional changes that lead to increased public trust and confidence in the police, especially by black and minority ethnic communities³.

3.2 The development of a Race Equality Policy will assist the MPA to identify its aims and aspirations for racial equality and the means by which this will be achieved at

- corporate level
- departmental level
- individual level

4. Aims

4.1 The MPA's commitment is embodied in the following aims:

4.1.1 *The MPA as an Exemplary Employer*

- To ensure that Authority's policies on equal opportunities and employment are effective in redressing any disadvantage previously experienced by Black and Minority Ethnic people.
- To ensure that Black and Minority Ethnic people will receive full and equal consideration throughout the whole recruitment process.

³ The term "Black and minority ethnic" is a political term used to refer to African Caribbean, African, Asian, Chinese, Vietnamese and other communities who are discriminated against on grounds of colour or racial origin. Some people from minority ethnic communities may not identify themselves as "Black and Minority Ethnic", yet share a common experience of discrimination and inequality as a result of their colour, ethnic origin, language, culture and/or religion. The use of the terminology "Black and Minority Ethnic" and "Black and minority ethnic and other minority ethnic" is used in the policy document and appendices accordingly.

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- To advertise all posts externally (except where there is a risk of redundancy/redeployment) and welcome applications from Black and Minority Ethnic people for all vacant positions and to set an Authority-wide target for employment of Black and Minority Ethnic people.
- To use the services of specialist recruitment consultants to target applicants from underrepresented communities in certain cases.
- To ensure all vacancies are advertised in Black and Minority Ethnic media.
- In appropriate cases to ensure that Black and Minority Ethnic people are proportionately represented in all departments and at all levels consistent with the requirement to appoint on merit.
- To take positive action measures under Section 37 and 38 of the Race Relations Act 1976 to remedy the under-representation of Black and Minority Ethnic people at all levels in its workplace, e.g. with regards to advertising, training, career development.
- To monitor all aspects of the recruitment process, the termination of employment, and workforce statistics in order to review performance and to identify action required to successfully implement this policy.
- To prevent racial harassment of and violence against employees, provide an effective response to deal with perpetrators, and provide support for complainants.
- To encourage and support networking of Black and Minority Ethnic employees and provide such employees with the opportunity to be consulted on all aspects of the development and the implementation of this policy.
- To make provision for anti-racism training in existing training courses, and, where necessary, make additional provision for such training in order to address issues including the impact of racism on the organisation, policy and activities of the Authority, and its employees, and others acting on its behalf.
- To ensure that all staff are provided with information on this policy and supported in understanding and implementing it.

4.1.2 *The MPS as a **Partner***

- To work in partnership and full consultation with Black and Minority Ethnic people and those identified groups whose work will impact on race equality.
- To consult specifically with Black and Minority Ethnic people on the development, and review of policy, and of its practical implementation where this has particular race equality implications.
- To ensure that Black and Minority Ethnic people are effectively represented in all consultation that the Authority undertakes with sectors/groups in the community.
- To adopt a consultation structure which is democratic and accountable and will involve Black and Minority Ethnic representatives meeting formally and informally with MPA members, borough commanders, consultative groups and other MPA consultation structures and processes..

4.1.3 *The MPA as a **Communicator***

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- To ensure full and effective access to its services for Black and other [AD3]Minority Ethnic people.
- To make information available in all necessary languages and formats.
- To ensure that information is disseminated effectively to Black and other Minority Ethnic people.
- To use interpreters where necessary for full and effective access to services.
- To promote a culture and ethos which is welcoming and accessible to Black and other Minority Ethnic people.
- To ensure that all information, publicity and advertising over which the Authority has control is non-racist and to ensure the use of positive images.

4.1.4 *The MPA as a **Service Provider***

- To ensure that the key functions of the MPA are delivered in a way that takes full account of the rights and needs of Black and Minority Ethnic people.
- To ensure that in planning and delivery of its key functions, Black and Minority Ethnic people receive a fair allocation of resources.
- To ensure that the key MPA functions are assessed to identify the potential for adverse impact and that appropriate steps are taken address these, as appropriate.
- To monitor the level of engagement by Black and Minority Ethnic people and investigate the reasons for lack of use of engagement, on policing, crime and community safety issues and take action to remedy the situation where necessary.
- To support and encourage crime prevention and community safety initiatives which are set up and run by Black and Minority Ethnic people and which promote effective engagement on policing matters for Black and Minority Ethnic people.
- To promote the empowerment of Black and Minority Ethnic people in their representative organisations through grant allocation policies.
- To prevent racial harassment of and violence against service users, provide an effective response to deal with perpetrators, and provide support for complainants.

4.1.5 *The MPA as a **Purchaser of Goods and Services***

- The achievement of race equality objectives will be integral to the service or work/business plans of all departments, and to all service agreements and contracts with private sector companies voluntary and community organisations and other bodies.

4.1.6 *The MPA as an **Influencer of social policy***

- To challenge racist attitudes, structures and practices of external organisations with which the Authority deals, and actively promote racial equality.
- To make representations concerning legislation that potentially discriminates against Black and Minority Ethnic people and to promote improvements in legislation and social policy

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- To work with other statutory agencies, the voluntary sector and the private sector to promote improved provision for Black and Minority Ethnic people in employment practices and service delivery.

5. Implementation and Monitoring

- 5.1 The implementation and monitoring of this policy is the responsibility of the Equal Opportunities and Diversity Board, the Authority, and the Clerk to the Authority and all those with a responsibility for making and progressing key aspects of this policy. The Head of Race and Diversity will be responsible for ensuring that the Clerk, managers and all staff are advised on all aspects of this policy and are supported to implement it.
- 5.2 This policy will be monitored and reviewed after its first year in operation by the MPA Internal Equal Opportunities group, who will report to the Equal Opportunities and Diversity Board with a view to determining progress, and in order to refine action plans for the next five years.

6. Responsibilities

- 6.1 The Race Equality Policy applies to everyone employed by the Authority and those who are involved in serving the community in the name of the Authority. The following groups are bound by the policy:-
- Members and co-opted members of Authority committees and sub-committees.
 - All employees of the Authority including those whose posts are funded by outside bodies or organisations (for example central government funded posts).
 - Any voluntary helpers/workers or others assisting with or carrying out services or functions on behalf of the Authority.
 - Any students, volunteers or trainees who are undergoing work experience or are on training placements in the Authority.
 - Any other person either in the employment of, or working on behalf of, the Authority.
 - All voluntary organisations and their staff funded by the Authority, including Community Police Consultative groups and Independent Custody Visitors' Panels are required to have and implement an Equal Opportunities Policy.

7. Staff Monitoring and Complaints

- 7.1 Any member of staff who considers that s/he has not been treated in accordance with this policy should raise his/her concerns in writing with the Head of Human

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Resources, or with the Senior Manager Team member to whom s/he reports. If the concern is about the SMT member it should be raised directly with the Head of Human Resources.

- 7.2 All allegations of racial discrimination, harassment or victimisation will receive the most urgent attention to ensure that the MPA is not perceived as placing the individual concerned at risk of further victimisation and to ensure that appropriate and adequate support and information is made available to all concerned.
- 7.3 All matters concerning the ways in which complaints or grievances concerning discrimination are handled are contained in the MPA Staff Handbook.

8. Implementing and Monitoring Race Equality Impact Assessments

- 8.1 In line with the 'CRE Code of Practice on the Duty to Promote Race Equality', and the Race Relations (Amendment) Act 2000, race and equality impact assessments will be conducted on all existing and proposed policies and policy decisions, in order to assess any differential impact on black and minority ethnic communities, to ensure that their needs are being met and to assess achievement and progress.
- 8.2 Additionally, equality impact will also be considered in all reports to MPA committees.

9. Consultation mechanisms

- 9.1 The MPA has a draft consultation strategy that outlines the core principles and practice for its consultation and engagement with staff, partners, stakeholders and members of the public.
- 9.2 The MPA will consult annually on the progress of its Race Equality Policy with those most affected. A working group of external organisations is already in place to provide scrutiny, challenge and objectivity and to the Race Equality Schemes of the MPA and the MPS.
- 9.3 Other appropriate consultation mechanisms with under-represented groups, to strengthen local links and partnerships and to help inform policy development will be established as required.

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9.4 Current consultation mechanisms will be monitored to ensure that they are equalities compliant and are properly placed to promote the equalities principles of the MPA.

10. Maintenance and review

10.1 The Metropolitan Police Authority will:

- Ensure that all staff and members are made fully aware of their responsibilities under the policy and informed of their obligations under the race relations legislation by publishing this policy, issuing new staff with a copy of this policy and conducting appropriate training;
- Provide relevant briefing/training to all staff and members on areas related to the policy and its implementation, and encouraging attendance;
- Welcome diversity, promote race equality, good race relations and equal opportunities;
- assess, review and revise other Metropolitan Police Authority policies for their effectiveness and impact in eliminating racial discrimination;
- Use cross-referencing to ensure clear links between the race equality policy and other Metropolitan Police Authority policies and functions;
- Include race equality impact questions into policy development and planning processes; and use the assessment and monitoring findings to expand, revise, update, improve and maintain the race equality policy and also establish or revise race equality priorities, targets and initiatives in appropriate strategic plans.

10.2 The Metropolitan Police Authority will review the Race Equality Policy on a regular basis, at least every two years?? ensuring that a wide cross section of staff and members and external stakeholders are involved in the assessment and monitoring procedures and processes and consult with representatives of these bodies to improve the effectiveness of such procedures and processes.

11. Publishing arrangements

11.1 The Metropolitan Police Authority will:

- Publicise and promote the policy through the Metropolitan Police Authority's staff handbook, website and relevant committee reports, articles in relevant newsletters;
- Make a copy of the policy available and issue new staff with a copy of the policy with their contract of employment;
- Publish annually a summary of the results of the impact assessments and monitoring

12. Definitions

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12.1 Direct Discrimination¹

This is treating one person less favourably than another on racial grounds. Direct discrimination is unlawful under the Race Relations Act. Racist abuse and harassment are forms of direct discrimination.

For example² Racist abuse and harassment are forms of direct discrimination. Racial harassment would include someone engaging in unwanted conduct which has the purpose or effect of violating another person's dignity or is creating an intimidating, hostile, degrading, humiliating or offensive environment.

12.2 Indirect Discrimination¹

This occurs when a rule or condition which applies equally to everyone: can be met by a considerably smaller proportion of people from a particular racial group; is to the disadvantage of that group; and can not be justified on non-racial grounds.

All three conditions must apply.

Indirect discrimination on the grounds of Race also occurs when a provision, criterion or practice, which applies equally to everyone, substantially disadvantages people from a particular racial group.

For example² A rule that employees or students must not wear headgear could exclude Sikh men who wear a turban, or Jewish men or boys who wear a yarmulka, in accordance with practice within their racial group.

Note²: The Race Relations Act (Amendment) Regulations 2003 brought in a new definition of indirect discrimination on grounds of race or ethnic or national origin. However, the original definition of indirect discrimination applies in complaints of discrimination based on grounds of colour or nationality.

12.3 Victimisation on the grounds of race¹

This is punishing or treating someone unfairly because they have made a complaint of racial discrimination, or are thought to have done so; or because they have supported someone else who has made a complaint of racial discrimination. Victimisation is defined as unlawful under the Race Relations Act.

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12.4 Staff, members and the wider public are strongly encouraged to consult the Commission for Racial Equality (CRE) code and web site (www.cre.gov.uk).

- 1 Commission for Racial Equality (May 2002), Statutory Code of Practice on the Duty to Promote Race Equality.
- 2 Commission for Racial Equality Web Pages
http://www.cre.gov.uk/legaladv/rights_disc.html (September 2003)

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Metropolitan Police Authority

Gender Equality Policy – Draft for Consultation

1 Introduction

- 1.1 The Metropolitan Police Authority (MPA) is committed to the promotion of equal opportunities and justice for women and is opposed to all forms of sexism.
- 1.2 The MPA recognises that women can also experience other types of discrimination and disadvantage and, in its work to achieve equality for women, it will ensure full consideration of the rights, needs and experience of black and minority ethnic and other minority ethnic women, disabled women, lesbians, women of all ages and faiths and other relevant groups (e.g. carers).
- 1.3 This policy sets out how the MPA intends to meet our commitments. This policy should be read in conjunction with the MPA's Equality and Diversity Policy and specific Equality Policies covering Race, Disability, Religion and Belief and Sexual Orientation.

2. Scope of the Gender Equality Policy

- 2.1 The policy applies to all members, employees and others acting on behalf of the MPA and to people using the MPA's services.

3. Purpose of the Gender Equality Policy

- 3.1 The purpose of this policy is to:
 - promote understanding of the principles and practices of equal opportunities for women
 - identify and remove discriminatory practices/procedures and ensure that its practices/procedures are relevant to women and do not disadvantage them
 - redress the effects of sex discrimination and disadvantage by encouraging the participation of women, in revising, planning and developing services
 - accord high priority to the promotion of sex equality and the elimination of sexism as a central concern for the Authority
- 3.2 The MPA recognises that the development of a Gender Equality Policy will assist the MPA to identify its aims and aspirations for gender equality and the means by which this will be achieved at
 - Corporate level

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- Departmental level
- Individual level

4. Aims

4.1 The MPA's commitment is embodied in the following aims:

4.2 *The MPA as a **Service Provider***

- To ensure that services are delivered in a way that takes full recognition of the fact that women, in the main, still have primary responsibility for caring for children and elderly or disabled people and for people who are ill; have particular concerns about safety; are disproportionately reliant on public transport and are **generally more likely to be affected by certain types of crimes and violence by the nature of their gender.**
- To provide special services for women to meet their particular needs, including women only provision where appropriate;
- To monitor the use of services by women, investigate the reasons for lack of use of services, and take action to remedy the situation where necessary;
- To prevent sexual harassment of and violence against service users, provide an effective response to deal with perpetrators and provide support for complainants;
- To inform contractors of the MPA's policy and of the behaviour expected of them with respect to the treatment of female staff and service users.
- **To monitor the impact of certain policing policy and to minimise any adverse impact these may have on police staff as well as service users.**

4.3 *The MPA as an **Exemplary Employer***

- In appropriate cases, to ensure that women are proportionately represented in all departments and at all levels, consistent to the requirement to appoint on merit. This is to be achieved through career development, clear and accessible career structures and supportive training provision;
- To ensure that the MPA policies on equal opportunities and diversity are effective in eliminating any discrimination/disadvantage previously experienced by women;
- To implement positive action measures for training and service conditions, including flexible working practices that will take into account the particular needs of female employees;
- To recognise women's caring responsibilities and develop employment policies and provision to assist in this respect;
- To prevent the sexual harassment of and violence against employees, provide an effective response to deal with perpetrators and provide support for complainants;
- To encourage and support networking of women employees and provide such employees with the opportunity to be consulted on all aspects of the development and implementation of this policy.

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- To ensure that staff understand and adhere to this policy by means of appraisal and counselling and by supplementary training provision where necessary.

4.4 *The MPA as a **Communicator***

- To ensure that women have the opportunity to be represented in all consultation that the MPA undertakes with sectors/groups in the community;
- To ensure that special consultation is undertaken with women/women's organisations on matters of particular relevance to women;
- To ensure access and facilities for parents, including nursing mothers and carers of disabled people or elderly people who are accompanied by their dependants when they visit MPA premises for advice, assistance or services;
- To ensure that all information, publicity and advertising over which the MPA has control is non-sexist and to ensure the use of positive images of men and women;
- To ensure that women's groups and community projects receive an equitable share of resources available through grant aid, advice, publicity and MPA publications etc

4.5 *The MPA as a **Partner***

- To challenge sexist attitudes, structures and practices of external organisations with which the MPA deals;
- To make representations on behalf of women concerning legislation that discriminates against women and to promote improvements in legislation;
- To work with statutory agencies, the voluntary sector and the private sector to promote improved provision for women in employment practices and service delivery.

5. Implementation and Monitoring

- 5.1 The implementation and monitoring of this policy is the responsibility of the Equal Opportunities and Diversity Board, the MPA, the Clerk to the Authority and all those with responsibility for progressing key aspects of this policy. The Head of Race and Diversity will be responsible for ensuring that the Clerk, managers and all staff are advised on all aspects of this policy and are supported to implement it.
- 5.2 This policy will be monitored and reviewed after its first year in operation by the MPA Internal Equal Opportunities Group who will report to the Equal Opportunities and Diversity Board with a view to determining progress and in order to refine action plans for the next five years.

6. Responsibilities

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6.1 The Gender Equality Policy applies to everyone employed by the MPA and those who are involved in serving the community in the name of the Authority. The following groups are bound by the policy:-

- Members and co-opted members of Authority committees and sub-committees.
- All employees of the Authority including those whose posts are funded by outside bodies or organisations (for example central government funded posts).
- Any voluntary helpers/workers or others assisting with or carrying out services or functions on behalf of the Authority.
- Any students, volunteers or trainees who are undergoing work experience or are on training placements in the Authority.
- Any other person either in the employment of, or working on behalf of, the Authority.
- All voluntary organisations and their staff funded by the Authority, including Community Police Consultative groups and Independent Custody Visitors' Panels are required to have and to implement an Equal Opportunities Policy.

7. Staff Monitoring and Complaints

- 7.1 Any member of staff who considers that s/he has not been treated in accordance with this policy should raise his/her concerns in writing with the Head of Human Resources, or with the Senior Manager Team member to whom s/he reports. If the concern is about the SMT it should be raised directly with the Head of Human Resources.
- 7.2 All allegations of sex discrimination, harassment or victimisation will receive the most urgent attention to ensure that the MPA is not perceived as placing the individual concerned at risk of further victimisation and to ensure that appropriate and adequate support and information is made available to all concerned.
- 7.3 All matters concerning the ways in which complaints or grievances concerning discrimination are contained in the MPA Staff Handbook.

8. Consultation mechanisms

- 8.1 The MPA has a draft consultation strategy that outlines the core principles and practice for its consultation and engagement with staff, partners, stakeholders and members of the public.
- 8.2 The MPA will consult annually on the progress of its Gender Equality Policy with those most affected.

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8.3 Current consultation mechanisms will be monitored to ensure that they are equalities compliant and are properly placed to promote the equalities principles of the MPA.

9. Maintenance and review

10.1 The Metropolitan Police Authority will:

- Ensure that all staff and members are made fully aware of their responsibilities under the policy and informed of their obligations under the sex discrimination legislation by publishing this policy, issuing new staff with a copy of this policy and conducting appropriate training;
- Provide relevant briefing/training to all staff and members on areas related to the policy and its implementation, and encouraging attendance;
- Welcome diversity, promote race equality, good race relations and equal opportunities;
- Assess, review and revise other Metropolitan Police Authority policies for their effectiveness and impact in eliminating sex discrimination;
- Use cross-referencing to ensure clear links between the gender equality policy and other Metropolitan Police Authority policies and functions;

10.2 The Metropolitan Police Authority will review the Gender Equality Policy on a regular basis, (not less than every two years) ensuring that a wide cross section of staff and members and external stakeholders are involved in the assessment and monitoring procedures and processes, and consult with representatives of these bodies to improve the effectiveness of such procedures and processes.

11. Publishing arrangements

11.1 The Metropolitan Police Authority will:

- Publicise and promote the policy through the Metropolitan Police Authority's staff handbook, website and relevant committee reports, articles in relevant newsletters;
- Make a copy of the policy available and issue new staff with a copy of the policy with their contract of employment;
- Publish annually a summary of the results of the impact assessments and monitoring

Appendix

Definitions

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Metropolitan Police Authority

Disability Equality Policy – Draft for Consultation

1. Introduction

- 1.1 The Metropolitan Police Authority, in accordance with its vision and values, is committed to equality of access for disabled people to society's resources and to participation in its decision-making processes as a police authority and employer and to promoting an understanding of disability as an equality issue.
- 1.2 The Metropolitan Police Authority recognises its statutory obligations under the Disability Discrimination Act 1995: that is, it is unlawful to discriminate against a disabled member, partner, staff, job applicants, or members of the public by treating them less favorably for a reason related to their disability. It also recognises the duty to make reasonable adjustments to working conditions or the physical working environment where this would help overcome the practical effects of a disability.
- 1.3 The Metropolitan Police Authority will do all that is practicable to meet this duty and therefore supports and implements the Department for Work and Pensions Disability Symbol initiative.
- 1.4 The Disability Equality Policy should be read in conjunction with the Metropolitan Police Authority's Equal Opportunities and Diversity Policy and specific equality Policies covering Race, Gender, Religion and belief and Sexual Orientation.

2. Scope of the Disability Equality Policy

- 2.1 This policy sets out the Metropolitan Police Authority's commitments to disabled people to ensure equality of opportunity in employment, training and service delivery.
- 2.2 The policy applies to all members, employees, prospective employees and others acting on behalf of the MPA and to people using the MPA's services.

3. Purpose of the Disability Equality Policy

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3.1 The purpose of this policy is to encourage disabled⁴ people to work in and engage with the Metropolitan Police Authority and to provide a positive and welcoming working environment/experience for disabled people within the Metropolitan Police Authority.

3.2 The MPA will:

- identify and remove any practices and procedures which disadvantage disabled people;
- seek to redress the effects of segregation, social and economic disadvantage, marginalisation and stereotyping of disabled people when reviewing, planning and developing policies and services;
- accept the social model of disability as the definition of a disabled person

3.3 The development of a Disability Equality Policy will assist the MPA to identify its aims and aspirations for equality for disabled people and the means by which this will be achieved at

- corporate level
- departmental level
- individual level

4. Aims

4.1 The MPA's commitment is embodied in the following aims:

4.2 *The MPA as an Exemplary Employer*

- It is the Metropolitan Police Authority's policy to treat all members of staff and job applicants fairly and equitably whatever their disability. The Metropolitan Police Authority will ensure that no requirement or condition will be imposed without justification that could disadvantage individuals on the grounds of disability.

4.2.1. *Recruitment and Selection*

- The Metropolitan Police Authority is a disability symbol user and displays the disability symbol in all advertisements and on its job application forms. The Metropolitan Police Authority is committed to the employment of people with disabilities and to making reasonable adjustments to posts in order to facilitate this. The Metropolitan Police Authority will ensure that job descriptions and person specifications are non-discriminatory. An applicant who has declared that they have a disability will, wherever possible, be considered for posts relative to those essential (minimum) criteria unaffected by the nature of their disability. Any applicant who has declared on their application form that they have a disability and who meets the essential (minimum) criteria

⁴ See Appendix for definition of disability in the Disability Discrimination Act 1995

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outlined in the person specification to be assessed from the application form, will be short-listed for further consideration at interview. Where an applicant who has declared that they have a disability is not short-listed for a post, clear rationale must be provided by the short-listing managers for consideration and approval by Human Resources.

- The Metropolitan Police Authority will periodically review and develop its recruitment and selection procedures to ensure that job opportunities are accessible to people with disabilities (e.g. advertising, selection process and assessment procedures). More detail on this is contained in the Metropolitan Police Authority's Recruitment and Selection policy and procedures, available on the web pages. Information regarding job opportunities will be provided, on request, in alternative formats for visually or hearing impaired candidates. The Metropolitan Police Authority will consider advertising in relevant specialist media, as appropriate, in order to attract applicants with disabilities.
- To enable a successful applicant who has declared that they have a disability to take up employment the Metropolitan Police Authority will aim to ensure any reasonable adjustments needed are agreed and implemented before the member of staff starts work.
- This policy will be provided, on request, in alternative formats for visually or hearing impaired candidates.

4.2.2. *Members of staff who become disabled*

- The Metropolitan Police Authority will actively seek to retain members of staff who become disabled. In these circumstances the Head of Department must contact Human Resources who will provide advice and support on the options available. These might include:
 - rearranging working methods;
 - providing practical aids or equipment;
 - allowing the member of staff to work at different times or places, for example to fit in with regular medical treatment;
 - alteration to the member of staff's job description and responsibilities; or
 - redeployment.(this list is not exhaustive)

4.2.3. *The Access to Work Scheme*

- The Access to Work (ATW) scheme is a Government scheme designed to provide practical help to overcome the barriers that people with disabilities experience in the workplace. Through this scheme the Government will either pay for or make a substantial grant towards the costs of additional support needed as a result of disability.
- The support that is available includes:
 - Adaptations to premises and equipment: this involves modifying the premises or equipment to make it accessible for a person with a disability;

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- Special aids to employment: provision of aids and equipment to a person with a disability which a person without a disability doing the same job would not need;
 - Support workers: help with the costs of employing personal support for a person with a disability at a job interview; on their journey to and from work or in the workplace;
 - Travel to work: support when a person with a disability incurs extra costs in traveling to and from work because of their disability; and
 - Communication support at interview: help with the cost of employing an interpreter or communicator to accompany a hearing impaired person, where there might be communication difficulties at a job interview.
- If an existing member of staff becomes disabled they should inform their Head of Department at the earliest opportunity in order that their support needs can be discussed and addressed, as appropriate. If their needs cannot be met by the Metropolitan Police Authority, the Head of Department or the member of staff should contact the Metropolitan Police Authority's Health and Safety Adviser, who will arrange to visit them at work and carry out a workplace assessment. They might also wish to contact the Metropolitan Police Authority's Employee Support Unit for confidential guidance or advice. The Health and Safety Adviser or the Employee Support Unit might recommend that an external Disability Employment Adviser at the Department of Work and Pensions is contacted, in which case the Employee Support Unit will contact and liaise with the Disability Employment Adviser, as appropriate.
 - An assessment of the job and the effects of the disability on the member of staff doing the job will be undertaken, as appropriate. If support is easily identifiable, arrangements will then be progressed to get appropriate support into place. If the type of help is not immediately obvious, particularly regarding adaptations or specialist equipment, a more detailed technical assessment may be recommended.

4.2.4. *Training and Development*

- In keeping with the Metropolitan Police Authority's commitment to progressive employment policies, the Metropolitan Police Authority will provide disability awareness training in staff development programmes, including induction.
- The Metropolitan Police Authority will ensure wherever possible that staff development events are accessible to all staff.

4.3 *The MPA as Service Provider*

4.3.1 In the delivery of services the MPA will ensure that:

- Disabled people receive a fair allocation of resources;
- Disabled people's rights of access to all services are established and maintained and in the provision of services, individuals will not be discriminated against on the grounds of their impairment;

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- Disabled people have the right to a recognised and trained independent advocate to represent their views to the Authority in respect of the services they receive if they are unable to represent themselves. Where necessary the MPA will resource the training of independent advocates;
- Initiatives which are set up and run by representative groups⁵ of disabled people and which promote equality of opportunity for disabled people are supported and encouraged
- The organisations it funds will develop and implement disability equality policies similar to its own
- Policy and practice to combat harassment of disabled people who use the services provided by the MPA are communicated to all partners and stakeholders.

5. Training

- 5.1 The MPA will adopt a general education policy for all staff, including consultants, in the understanding of disability.
- 5.2 When training courses or other training activities relate in any part to disability issues, disability equality trainers who are disabled people will be involved or representatives of organizations of disabled people will be involved in the planning, preparation, presentation and evaluation of training material.

6. Consultation

- 6.1 The MPA will adopt a consultation structure and put in place processes which are democratic and accountable that will involve the participation of disabled people and their representative organisations in policy development and the decision making process that have, or may have, implications for disabled people.

7. Access

- 7.1 The MPA has adopted an access policy to physical access to its own buildings and is committed to its implementation. In addition to access to its own buildings, the MPA will monitor and overview the progress of the MPS in taking steps to ensure that its buildings are fully accessible.
- 7.2 The MPA will undertake to ensure access to information, decision making through means of communication such as, use of appropriate language, tape, Braille, interpretation for hearing impaired people, videos, minicomms, advocates etc

⁵ 'Representative Groups' have been defined as organisations with at least 75% or more disabled people on their Management/Executive Committee.

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8. Responsibilities

- 8.1 All members of staff will be expected to be aware of and promote this policy and to treat people with disabilities whether staff, members, partners or members of the public in accordance with these provisions.
- 8.2 Directors/Heads of Department have a duty to promote and implement this policy within their own area/Department.

9. Complaints

- 9.1 Any member of staff who considers that they have been treated in a way that is contrary to this policy should raise the matter with their line manager or Head of Department, in the first instance attempting to resolve the issue. Alternatively they might wish to contact Human Resources or, if they are a member of a recognised trades union their trades union representative. It should be the objective of all parties to reach a satisfactory resolution, via informal channels, wherever possible, with HR advice, as appropriate. If the matter is not resolved or the member of staff does not consider that it is appropriate to pursue the complaint through informal means, the individual might wish to seek redress through the Metropolitan Police Authority's Grievance procedure.
- 9.2 If a job applicant wishes to complain about a disability issue in relation to recruitment and selection they should write to the Director of Human Resources who will arrange to have the complaint investigated.

10. Monitoring

- 10.1 Human Resources will collect and maintain confidential records of staff who declare a disability and record data on applicants for employment. The information will be analysed and assessed and reported to the Finance and Equal Opportunities and Diversity Board to evaluate the progress that the Metropolitan Police Authority is making towards meeting its equality objectives.

11. Maintenance and Review

- 11.1 The Metropolitan Police Authority undertakes to progressively and regularly review this policy in light of good practice and changes in relevant legislation.

(as gender policy)

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Appendix

Definition

A disabled person is described in the Disability Discrimination Act 1995 as anyone 'with a physical or mental impairment, which has a substantial and long term adverse effect upon their ability to carry out normal day-to-day activities'.

This definition includes not just those with mobility or sensory impairments but also a wide range of other impairments including mental health problems such as depression, learning difficulties including dyslexia, diabetes, heart conditions, progressive and fluctuating conditions such as Multiple Sclerosis or epilepsy. A long-term adverse effect is one which has lasted at least twelve months or is likely to last permanently.

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Metropolitan Police Authority

Age Equality Policy

1. Introduction

- 1.1 Although anti-age discrimination legislation will not be in place until 2006, it is the MPA's policy to ensure that there is no discrimination on the grounds of a person's age in recruitment, promotion, transfer, training or dismissal^[AD4].
- 1.2 Those who are subjected to discrimination, victimisation or harassment because of their age may become unhappy, less productive and demotivated. Through this policy and procedure and the training and development of managers and staff, the organisation will do all it can to promote good practice in this area and, therefore, hopes that such discrimination will not occur.
- 1.3 This policy sets out how the MPA will meet these commitments. This policy should be read in conjunction with the MPA's Equality and Diversity Policy and specific Equality Policies covering Race, Gender, Disability Sexual Orientation and Religion and Belief.

2. Scope of the Age Equality Policy

- 2.1 The policy applies to all members, employees whether full time, part time, casual workers, temporary workers or contract workers, prospective employees and others acting on behalf of the MPA.

3. Purpose of the Age Equality Policy

- 3.1 The purpose of this policy is to:
 - Promote equality in relation to all whatever their age in order to build an effective workforce of different ages
 - Identify any barriers to progressing equalities on grounds of age and eliminate potential unlawful discrimination, the underlying causes and take remedial and preventative action where these become apparent
- 3.2 The MPA recognises that the development of an Age Equality Policy will assist the MPA to identify its aims and aspirations for equality for people of diverse age groups and the means by which this will be achieved at

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- Corporate level
- Departmental level
- Individual level

4. Aims

4.1 The MPA's commitment is embodied in the following aims:

4.2 *The MPA as an Exemplary Employer*

Recruitment and Selection

The MPA

- Has a Recruitment and Selection Policy and Procedure. This can be found in the MPA Staff Handbook.
- Trains all those with recruitment and selection responsibility in the legal issues, the policy and procedure and how to carry out selection interviews, for example, to make sure interviewers avoid basing decision on prejudices and stereotypes based on age
- Works towards attracting a wide field of applicants, for example, by reviewing where and how jobs are advertised and seeking to attract a broad cross section of people from different age groups
- Regularly reviews the recruitment and selection policy and procedure to ensure it lies within the legal framework and reflects good practice
- Uses job descriptions and person specifications to ensure clarity of selection criteria
- Does not set unnecessary or unfair selection criteria or standards that might discriminate against a person because of his or her age
- Works closely with any employment or search agencies to ensure they too meet the legal framework and work toward best practice in recruitment and selection.

Training and development

- The MPA has a Training and Development Policy and Procedure. This can be found in the MPA Staff Handbook. It includes all staff and does not discriminate against any person because of his or her age and recognises that both younger and older workers respond to training and are equally capable of development
- Regularly reviews the training and development policy to ensure it is fair, meets the legal framework and reflects good practice, for example, people of all ages take up training and development opportunities and results are monitored.

Harassment and Bullying

- The MPA's Harassment and Bullying Policies and Procedures in the Staff Handbook reflect that the organisation recognises that it is unlawful to harass or bully a person on the grounds of his or her age.
- Procedures are outlined within this policy where a person feels he or she is being harassed or bullied because of his or her age.

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Performance management

- The MPA's Performance Management Policy and Procedure contained in the MPA Staff Handbook including induction, probation, annual appraisal and interim appraisal reflects best practice and fairness thereby helping ensure there is no discrimination against a person because of his or her age.
- All staff and managers are trained in performance management issues such as:
 - how to prepare for the performance management interview
 - how to set meaningful objectives
 - how to measure own and others' performance.

Redundancy

- Redundancy procedures are used that are based on business needs rather than age;
- Employees and their representatives are involved in planning for redundancy

Retirement

- There is an agreed, flexible and fair retirement policy, which all workers know about.

5. Implementation and Monitoring

5.1 The implementation of this policy and the procedure below is the duty of all managers. Employees also have a duty to uphold this policy and supporting procedure. Those who do not may find themselves facing disciplinary action.

5.2 Employees should be aware that if they harass another person because of his or her age, they could be personally liable and may have to pay compensation themselves. This liability will be separate from and in addition to any compensation that the organisation is ordered to pay.

6. Staff Monitoring and Complaints

6.1 Any member of staff who considers that he or she is being discriminated against, victimised, harassed or bullied because of his or her age should:

- ensure he or she is familiar with the relevant procedures outlined in either the:
 - grievance procedure
 - harassment procedure
 - bullying procedure.
- follow the correct course of action as outlined in the relevant above procedures

6.2 In the first instance the member of staff should talk to his or her manager about what course of action to take and if there is any action the manager should take

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either speak to his or her line manager's manager or the personnel officer if it is the line manager who is discriminating against, victimising, harassing or bullying the person because of his or her age,

7. Consultation mechanisms

- 7.1 The MPA has a draft consultation strategy that outlines the core principles and practice for its consultation and engagement with staff, partners, stakeholders and members of the public.
- 7.2 The MPA will consult annually on the progress of its Age Equality Policy with those most affected.
- 7.3 Current consultation mechanisms will be monitored to ensure that they are equalities compliant and are properly placed to promote the equalities principles of the MPA.

8. Maintenance and review

- 8.1 The Metropolitan Police Authority will:
 - Ensure that all staff and members are made fully aware of their responsibilities under the policy and informed of their obligations under the forthcoming Employment Equality (Age) Regulations by publishing this policy, issuing new staff with a copy of this policy and conducting appropriate training;
 - Provide relevant briefing/training to all staff and members on areas related to the policy and its implementation, and encouraging attendance;
 - Welcome diversity, promote race equality, good race relations and equal opportunities;
 - Assess, review and revise other Metropolitan Police Authority policies for their effectiveness and impact in eliminating discrimination on the grounds of age;
 - Use cross-referencing to ensure clear links between the age equality policy and other Metropolitan Police Authority policies and functions;
- 8.2 The Metropolitan Police Authority will review the Age Equality Policy on an annual basis, ensuring that a wide cross section of staff and members and external stakeholders are involved in the assessment and monitoring procedures and processes and consult with representatives of these bodies to improve the effectiveness of such procedures and processes.

9. Publishing arrangements

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9.1 The Metropolitan Police Authority will:

- Publicise and promote the policy through the Metropolitan Police Authority's staff handbook, website and relevant committee reports, articles in relevant newsletters;
- Make a copy of the policy available and issue new staff with a copy of the policy with their contract of employment;
- Publish annually a summary of the results of the impact assessments and monitoring

Appendix

Definitions

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Metropolitan Police Authority

Sexual Orientation Equality Policy – Draft for Consultation

1. Introduction

- 1.1 It is the MPA's policy to ensure that there is no discrimination on the grounds of a person's sexual orientation in recruitment, promotion, transfer, training or dismissal.
- 1.2 Discrimination on the grounds of sexual orientation is unlawful. Those who are subjected to discrimination, victimisation or harassment because of their sexual orientation may become unhappy, less productive and demotivated. Through this policy and procedure and the training and development of managers and staff, the organisation will do all it can to promote good practice in this area and, therefore, will expect that such discrimination will not occur.
- 1.3 This policy sets out how the MPA will meet these commitments. This policy should be read in conjunction with the MPA's Equality and Diversity Policy and specific Equality Policies covering Race, Gender, Disability, Religion and Belief.

2. Scope of the Sexual Orientation Equality Policy

- 2.1 The policy applies to all members, employees whether full time, part time, casual workers, temporary workers or contract workers, prospective employees and others acting on behalf of the MPA.

3. Purpose of the Sexual Orientation Equality Policy

- 3.1 The purpose of this policy is to:
 - Promote equality in relation to gay, lesbian and bisexual people
 - Identify any barriers to progressing equalities on grounds of sexual orientation and eliminate unlawful discrimination, the underlying causes and take remedial and preventative action where these become apparent
- 3.2 The MPA recognises that the development of a Sexual Orientation Equality Policy will assist the MPA to identify its aims and aspirations for equality for gay, lesbian and bisexual people and the means by which this will be achieved at
 - Corporate level
 - Departmental level
 - Individual level

4. Aims

- 4.1 The MPA's commitment is embodied in the following aims:

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4.2 *The MPA as an Exemplary Employer*

Recruitment and Selection

The MPA

- has a Recruitment and Selection Policy and Procedure. This can be found in the MPA Staff Handbook.
- Trains all those with recruitment and selection responsibility in the legal issues, the policy and procedure and how to carry out selection interviews
- Works towards attracting a wide field of applicants
- Regularly reviews the recruitment and selection policy and procedure to ensure it lies within the legal framework and reflect good practice
- Uses job descriptions and person specifications to ensure clarity of selection criteria
- Does not set unnecessary or unfair selection criteria or standards that might discriminate against a person because of his or her sexual orientation
- Works closely with any employment or search agencies to ensure they too meet the legal framework and work toward best practice in recruitment and selection.

Training and development

The MPA

- Has a Training and Development Policy and Procedure. This can be found in the MPA Staff Handbook. It includes all staff and does not discriminate against any person because of his or her sexual orientation
- Regularly reviews the training and development policy to ensure it is fair, meets the legal framework and reflects good practice.

Harassment and Bullying

- The MPA's Harassment and Bullying Policies and Procedures in the Staff Handbook reflect that the organisation recognises that it is unlawful to harass or bully a person on the grounds of his or her sexual orientation.
- Procedures are outlined within this policy where a person feels he or she is being harassed or bullied because of his or her sexual orientation.

Performance management

- The MPA's Performance Management Policy and Procedure contained in the MPA Staff Handbook including induction, probation, annual appraisal and interim appraisal reflects best practice and fairness thereby helping ensure there is no discrimination against a person because of his or her sexual orientation.
- All staff and managers are trained in performance management issues such as:
 - how to prepare for the performance management interview
 - how to set meaningful objectives

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- how to measure own and others' performance.

5. Implementation and Monitoring

- 5.1 The implementation of this policy and the procedure below is the duty of all managers. Employees also have a duty to uphold this policy and supporting procedure. Those who do not may find themselves facing disciplinary action.
- 5.2 Employees should be aware that if they harass another person because of his or her sexual orientation, they could be personally liable and may have to pay compensation themselves. This liability is separate from and in addition to any compensation that the organisation is ordered to pay.

6. Staff Monitoring and Complaints

- 6.1 Any member of staff who considers that he or she is being discriminated against, victimised, harassed or bullied because of his or her sexual orientation should:
 - ensure he or she is familiar with the relevant procedures outlined in either the:
 - grievance procedure
 - harassment procedure
 - bullying procedure.
 - follow the correct course of action as outlined in the relevant above procedures
- 6.2 In the first instance the member of staff should talk to his or her manager about what course of action to take and if there is any action the manager should take either speak to his or her line manager's manager or the personnel officer if it is the line manager who is discriminating against, victimising, harassing or bullying the person because of his or her sexual orientation,

7. Consultation mechanisms

- 7.1 The MPA has a draft consultation strategy that outlines the core principles and practice for its consultation and engagement with staff, partners, stakeholders and members of the public.
- 7.2 The MPA will consult annually on the progress of its Sexual Orientation Equality Policy with those most affected.
- 7.3 Current consultation mechanisms will be monitored to ensure that they are equalities compliant and are properly placed to promote the equalities principles of the MPA.

8. Maintenance and review

- 8.1 The Metropolitan Police Authority will:
 - Ensure that all staff and members are made fully aware of their responsibilities under the policy and informed of their obligations under the Employment Equality (Sexual Orientation) Regulations

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2003 by publishing this policy, issuing new staff with a copy of this policy and conducting appropriate training;

- Provide relevant briefing/training to all staff and members on areas related to the policy and its implementation, and encouraging attendance;
- Welcome diversity, promote race equality, good race relations and equal opportunities;
- Assess, review and revise other Metropolitan Police Authority policies for their effectiveness and impact in eliminating discrimination on the grounds of sexual orientation;
- Use cross-referencing to ensure clear links between the sexual orientation equality policy and other Metropolitan Police Authority policies and functions;

8.2 The Metropolitan Police Authority will review the Sexual Orientation Equality Policy on a regular basis, (not less than every two years) ensuring that a wide cross section of staff and members and external stakeholders are involved in the assessment and monitoring procedures and processes and consult with representatives of these bodies to improve the effectiveness of such procedures and processes.

9. Publishing arrangements

9.1 The Metropolitan Police Authority will:

- Publicise and promote the policy through the Metropolitan Police Authority's staff handbook, website and relevant committee reports, articles in relevant newsletters;
- Make a copy of the policy available and issue new staff with a copy of the policy with their contract of employment;
- Publish annually a summary of the results of the impact assessments and monitoring.

Appendix

Definitions

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Metropolitan Police Authority

Religion or Belief Equality Policy – Draft for Consultation

1. Introduction

- 1.1 It is the MPA's policy to ensure that there is no discrimination on the grounds of a person's religion or belief in recruitment, promotion, transfer, training or dismissal^[AD5].
- 1.2 Discrimination on the grounds of religion or belief is unlawful. Those who are subjected to discrimination, victimisation or harassment because of their religion or belief may become unhappy, less productive and demotivated. Through this policy and procedure and the training and development of managers and staff, the organisation will do all it can to promote good practice in this area and, therefore, hopes that such discrimination will not occur.
- 1.3 This policy sets out how the MPA will meet these commitments. This policy should be read in conjunction with the MPA's Equality and Diversity Policy and specific Equality Policies covering Race, Gender, Disability, and Sexual Orientation.

2. Scope of the Religion or Belief Equality Policy

- 2.1 The policy applies to all members, employees whether full time, part time, casual workers, temporary workers or contract workers, prospective employees and others acting on behalf of the MPA.

3. Purpose of the Religion or Belief Equality Policy

- 3.1 The purpose of this policy is to:
 - Promote equality in relation for all whatever their religion or belief;
 - Identify any barriers to progressing equalities on grounds of religion or belief and eliminate unlawful discrimination, the underlying causes and take remedial and preventative action where these become apparent
- 3.2 The MPA recognises that the development of a Religion or Belief Equality Policy will assist the MPA to identify its aims and aspirations for equality for people of diverse religious and faith groups and the means by which this will be achieved at
 - Corporate level

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- Departmental level
- Individual level

4. Aims

4.1 The MPA's commitment is embodied in the following aims:

4.2 The MPA as an **Exemplary Employer**

Recruitment and Selection

The MPA

- Has a Recruitment and Selection Policy and Procedure. This can be found in the MPA Staff Handbook.
- Trains all those with recruitment and selection responsibility in the legal issues, the policy and procedure and how to carry out selection interviews
- Works towards attracting a wide field of applicants
- Regularly reviews the recruitment and selection policy and procedure to ensure it lies within the legal framework and reflect good practice
- Uses job descriptions and person specifications to ensure clarity of selection criteria
- Does not set unnecessary or unfair selection criteria or standards that might discriminate against a person because of his or her religion or belief
- Works closely with any employment or search agencies to ensure they too meet the legal framework and work toward best practice in recruitment and selection.

Training and development

- The MPA has a Training and Development Policy and Procedure. This can be found in the MPA Staff Handbook. It includes all staff and does not discriminate against any person because of his or her religion or belief
- Regularly reviews the training and development policy to ensure it is fair, meets the legal framework and reflects good practice.

Harassment and Bullying

- The MPA's Harassment and Bullying Policies and Procedures in the Staff Handbook reflect that the organisation recognises that it is unlawful to harass or bully a person on the grounds of his or her religion or belief.
- Procedures are outlined within this policy where a person feels he or she is being harassed or bullied because of his or her religion or belief.

Performance management

- The MPA's Performance Management Policy and Procedure contained in the MPA Staff Handbook including induction, probation, annual appraisal and interim appraisal reflects best

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practice and fairness thereby helping ensure there is no discrimination against a person because of his or her religion or belief.

- All staff and managers are trained in performance management issues such as:
 - how to prepare for the performance management interview
 - how to set meaningful objectives
 - how to measure own and others' performance.

5. Implementation and Monitoring

5.1 The implementation of this policy and the procedure below is the duty of all managers. Employees also have a duty to uphold this policy and supporting procedure. Those who do not may find themselves facing disciplinary action.

5.2 Employees should be aware that if they harass another person because of his or her religion or belief, they could be personally liable and may have to pay compensation themselves. This liability is separate from and in addition to any compensation that the organisation is ordered to pay.

6. Staff Monitoring and Complaints

6.1 Any member of staff who considers that he or she is being discriminated against, victimised, harassed or bullied because of his or her religion or belief should:

- ensure he or she is familiar with the relevant procedures outlined in either the:
 - grievance procedure
 - harassment procedure
 - bullying procedure.
- follow the correct course of action as outlined in the relevant above procedures

6.2 In the first instance the member of staff should talk to his or her manager about what course of action to take and if there is any action the manager should take either speak to his or her line manager's manager or the personnel officer if it is the line manager who is discriminating against, victimising, harassing or bullying the person because of his or her religion or belief,

7. Consultation mechanisms

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- 7.1 The MPA has a draft consultation strategy that outlines the core principles and practice for its consultation and engagement with staff, partners, stakeholders and members of the public.
- 7.2 The MPA will consult annually on the progress of its Religion or Belief Equality Policy with those most affected.
- 7.3 Current consultation mechanisms will be monitored to ensure that they are equalities compliant and are properly placed to promote the equalities principles of the MPA.

8. Maintenance and review

8.1 The Metropolitan Police Authority will:

- Ensure that all staff and members are made fully aware of their responsibilities under the policy and informed of their obligations under the Employment Equality (Religion or Belief) Regulations 2003 by publishing this policy, issuing new staff with a copy of this policy and conducting appropriate training;
- Provide relevant briefing/training to all staff and members on areas related to the policy and its implementation, and encouraging attendance;
- Welcome diversity, promote race equality, good race relations and equal opportunities;
- Assess, review and revise other Metropolitan Police Authority policies for their effectiveness and impact in eliminating discrimination on the grounds of religion or belief;
- Use cross-referencing to ensure clear links between the religion or belief equality policy and other Metropolitan Police Authority policies and functions;

8.2 The Metropolitan Police Authority will review the Religion or belief Equality Policy on a regular basis, ensuring that a wide cross section of staff and members and external stakeholders are involved in the assessment and monitoring procedures and processes and consult with representatives of these bodies to improve the effectiveness of such procedures and processes.

9. Publishing arrangements

9.1 The Metropolitan Police Authority will:

- Publicise and promote the policy through the Metropolitan Police Authority's staff handbook, website and relevant committee reports, articles in relevant newsletters;
- Make a copy of the policy available and issue new staff with a copy of the policy with their contract of employment;
- Publish annually a summary of the results of the impact assessments and monitoring

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Metropolitan Police Authority

Work and Parents Policy – Draft for Consultation

Introduction

Purpose and Scope

This policy outlines the provisions available to working parents to assist them in balancing their working lives with their family responsibilities.

The policy will outline the rights of eligible members of staff, including pay, and details on how to exercise those rights. The provisions in this policy apply to any full-time and part-time members of staff who satisfy any qualifying conditions which apply.

Eligible members of staff will be protected from suffering unfair treatment or dismissal for taking, or seeking to take, any of the types of leave outlined in this policy. It shall however be a serious disciplinary offence for staff taking leave under this policy to engage in paid employment outside of the MPA during periods of leave.

Elements of the Policy

The policy is in four Sections outlining specific provisions as follows: -

Section 1 - Maternity

Members of staff's eligibility to maternity leave and pay and guidance on how to exercise maternity rights.

The policy on Maternity incorporates the statutory maternity rights as improved by the Employment Act 2002, which took effect in respect of women whose expected week of childbirth (EWC) began on or after 6 April 2003.

Section 2 - Adoption

Entitlements to leave and pay arrangements associated with adoption of a child. This policy applies to both male and female members of staff. These provisions apply to members of staff who are matched for adoption on or after 6 April 2003 or placed for adoption on or after that date.

Section 3 - Paternity

Provisions to enable fathers to care for their child after the birth, or in the case of adoption, after the date of the child's placement. These paternity rights apply to members of staff whose children are born on or after 6 April 2003, or in the case of adoption, in respect of children who are matched for adoption on or after 6 April 2003 or placed for adoption on or after that date.

Section 4 - Parental Leave

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Provision for unpaid leave to care for a child.

Other Entitlements for Parents

Other provisions for leave (with or without pay) which affect a number of members of staff, including parents, are outlined in the MPA's policy on Special Leave.

Section 1 - Maternity

1. Introduction

This policy outlines members' of staff eligibility to maternity leave and pay, and guidance on how to exercise these maternity rights.

Maternity entitlements consist of: Time off for antenatal care, Maternity leave; and Maternity pay.

This policy incorporates the statutory maternity rights as approved by the Employment Act 2002 which apply in respect of women whose EWC began on or after 6 April 2003.

2. Health and Safety

There is special protection for pregnant women or women who have given birth in the last six months or who are breast-feeding.

Protection on these grounds starts as soon as the MPA is informed that the member of staff is pregnant.

The member of staff is therefore encouraged to notify her manager, or alternatively Human Resources, as soon as possible that she is pregnant, is breastfeeding, or has given birth within the previous six months, in order that any relevant health and safety issues can be investigated and addressed, as appropriate.

The MPA will regularly carry out risk assessments with a view to identify any processes, working conditions, physical, chemical and biological agents that could jeopardise the health of a pregnant woman or her child, or of a woman who is breastfeeding. The outcomes of risk assessments will be reported to the relevant Head of Department, to Human Resources, where appropriate and, in general terms (i.e. not on a case basis) reported through the MPA's Health and Safety Forum. The Head of Department will be responsible for ensuring that all female staff are aware of any potential risks highlighted by the assessment.

Exceptionally such an assessment may reveal a risk in certain work areas and the MPA will take reasonable steps to remove the risk or to prevent exposure to it. If it proves impossible to remove the risk, and a pregnant or breastfeeding member of staff works in such an area the MPA will seek suitable alternative employment in consultation with the member of staff, exceptionally, if no alternative position is available, the member of staff may need to have their employment held in abeyance, on full pay.

3. Ante Natal Care

All pregnant members of staff, regardless of length of service, are entitled to reasonable paid time off to keep appointments for antenatal care. Time off will be at the member of staff's normal rate of pay.

Antenatal care may include relaxation and parent-craft classes as well as medical examinations. The

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member of staff must follow the guidelines in the MPA's Absence Procedures for informing managers of medical appointments. Staff are expected to arrange such appointments at the beginning or at the end of the day wherever possible.

Requests from expectant fathers to take annual leave to attend ante natal appointments should be granted as far as possible, provided that there is no adverse effect on the Department's operations.

4. Maternity Leave and Maternity Pay

There are two types of maternity leave and pay: occupational and statutory.

Occupational maternity entitlements (entitlements provided by the MPA) will apply to all members of staff with continuous service of one year or more. The occupational maternity entitlements incorporate, and enhance maternity rights provided by law (statutory maternity rights).

Staff with less than one year's service will be entitled to all maternity rights provided by law (statutory maternity rights), as outlined in this policy.

When determining continuous service any break between periods of employment which exceeds one week (Sunday to Saturday (Employment Rights Act 1996)) will normally be deemed as a break in continuity of service. Where breaks of greater than one week are as a result of temporary cessation in work brought about by the MPA e.g. vacation periods, in accordance with the relevant legislative provisions continuity of service would not normally be broken.

In the event where, in particular circumstances, current statutory entitlements prove to be more generous than occupational entitlements, then statutory entitlements will prevail. The entitlements described below incorporate the statutory maternity rights as approved by the Employment Act 2002, which take effect in respect of women whose EWC began on or after 6 April 2003.

4.1 Maternity Leave Entitlements

4.1.1 Ordinary Maternity Leave

All women, regardless of length of service, are entitled to 26 weeks' Ordinary Maternity Leave (OML). The member of staff may choose to commence OML from the 11th week prior to the EWC – the earliest time that OML can start, and from any time during the period from the 11th week prior to the beginning of the EWC. However, maternity leave must begin on a Sunday.

A woman's maternity leave will start automatically if she is absent from work for a pregnancy related illness during the four weeks before the start of her EWC, regardless of when she has said she actually wants her maternity leave to start. OML cannot begin later than the beginning of the EWC.

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4.1.2 Compulsory Maternity Leave

Within the 26 week period of ordinary maternity leave, there is a two-week period of compulsory maternity leave, namely the first two weeks after the member of staff has given birth, when she will not be allowed to return to work.

4.1.3 Additional Maternity Leave

There are two types of additional maternity leave, depending on the member of staff's length of service with the MPA:

- *Statutory Maternity Leave*

Women who have 26 weeks' continuous service with the MPA ending with the 15th week before their EWC are entitled to statutory additional maternity leave. This statutory additional maternity leave will start immediately after ordinary maternity leave, and the entitlement will continue for a further 26 weeks, thereby increasing total maternity leave available to 52 weeks (one year).

- *Occupational Maternity Leave*

Women who have completed one year's continuous service with the MPA at the EWC will be entitled to remain on maternity leave until one year after the EWC, regardless of when their maternity leave started. This additional leave is an occupational entitlement.

4.1.4 How to apply for Maternity Leave

Members of staff requesting maternity leave are required to produce medical evidence of the EWC. This will normally be in the form of a MATB1 (Maternity Certificate), which is available from the doctor or midwife, and will be issued from the 20th week before the EWC onwards.

A pregnant member of staff will be required to notify the MPA of her intention to take maternity leave no later than the end of the 15th week before her EWC. She will need to inform Human Resources of (a) the fact that she is pregnant; (b) the week her baby is expected to be born and (c) when she wants her maternity leave to start.

A member of staff will be able to change her mind about when she wants to start her leave providing she informs Human Resources at least 28 days in advance confirming her revised date for starting maternity leave (unless this is not reasonably practicable).

The MPA will respond to a woman's notification of her maternity leave plans within 28 days. The MPA will also write to the member of staff, setting out the date on which she will be expected to return to work if she takes her full entitlement to maternity leave.

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4.1.5 Compulsory start of maternity leave

A member of staff who has reached the fourth week prior to the EWC, and who is ill for a wholly or partly maternity related reason, must commence her maternity leave period on the Sunday immediately following the start of her sickness absence, even if she had not intended to start her maternity leave until later.

4.1.6 Notice of return to work after maternity leave

The MPA will assume that the member of staff will return to work immediately following the last day of her entitlement to maternity leave, as notified to her (paragraph 4.1.4 refers). A member of staff who wants to return to work before the end of her full entitlement of maternity leave will need to give Human Resources 28 days' notice of the date on which she wants to return to work. The MPA may postpone a member of staff's return for up to 21 days if she gives less than 28 days' notice of her early return to work.

4.2 Maternity Pay Entitlements

4.2.1 Entitlement to pay during maternity leave is based on the member of staff's length of continuous service. It will only be paid if the member of staff has given proper advance notification and submitted medical evidence of the EWC to Human Resources (in accordance with paragraph 4.1.4). Maternity pay is calculated as a proportion of the member of staff's normal average weekly pay, and will be subject to the same types of pay deductions as normal salary payments. It is paid via the Payroll. It is not payable for any weeks in which the member of staff does paid work, whether she undertakes any paid work for a whole week or for part of the week, either with the MPA or with another employer.

4.2.2 Maternity pay will start at the same time as the maternity leave period.

4.2.3 There are two types of maternity pay: Statutory maternity pay (SMP) and Occupational (MPA) maternity pay.

4.2.4 Statutory maternity pay

Statutory maternity pay lasts for 26 weeks. It applies to members of staff who have 26 weeks' service ending with the 15th week prior to the EWC (this is called the Qualifying Week). In order to be eligible for statutory maternity pay, the member of staff must:

- a) meet the above service requirements;
- b) be employed by the MPA at the Qualifying Week;
- c) have a salary equal to or higher than the minimum earnings limit; and

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d) be paying full NI contributions.

Statutory maternity pay in respect of members of staff whose EWC falls on or after week commencing 6 April 2003, will amount to:

- a) six weeks at 9/10th of average weekly gross pay,
- b) twenty weeks at £100* per week gross (or 20 weeks at 9/10ths of average weekly pay if the average weekly pay is less than £100* per week)

4.2.5 A woman employed at the MPA at the Qualifying Week (paragraph 4.2.4 refers), and who meets the qualifying requirements for statutory maternity pay (paragraph 4.1.3 refers), will be eligible to claim statutory maternity pay from the MPA even if she has since left the MPA's employment.

4.2.6 Occupational maternity pay

The MPA's occupational maternity pay is more generous than statutory maternity pay and applies to members of staff who have at least one year's continuous service at the EWC, and while their employment with the MPA is current.

Occupational maternity pay lasts for 18 weeks and will be inclusive of statutory maternity pay during the first six weeks of the maternity pay period. For the following 12 weeks it will be paid in addition to statutory maternity pay, after which (for the remaining 8 weeks) only statutory maternity pay will be paid.

Members of staff eligible for occupational maternity pay will receive:

- a) 4 weeks full normal pay;
- b) 2 weeks 9/10th of normal pay;
- c) 12 weeks half normal pay plus statutory maternity pay at £100* per week (subject to the total weekly amount not exceeding full normal pay); and
- d) 8 weeks statutory maternity pay at £100* inclusive (or at 9/10ths of normal pay if the woman's average weekly earnings is less than £100* per week).

The statutory maternity pay quoted in this paragraph applies in respect of members of staff whose EWC falls on or after week commencing 6 April 2003 – see 4.2.3. Members of staff not returning to work after maternity leave, and who have received occupational maternity pay, will be obliged to pay back the last four weeks of half pay occupational maternity pay.

4.2.7 Members of staff who are eligible for occupational maternity pay but whose employment ends whilst receiving maternity pay (such as in the case where a member of staff's fixed term contract of employment comes to an end, including

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casual staff), will cease to receive occupational pay at the end of their employment, but will continue to receive any statutory maternity pay to which they are entitled. In this case and in the case of 4.2.5, the MPA may pay any outstanding maternity pay as a lump sum payment. However, if the member of staff's contract of employment with the MPA is extended or renewed, occupational maternity pay will also continue.

- 4.2.8 Maternity pay (statutory and occupational) ceases to be payable when a member of staff returns to work or enters employment with another employer. The member of staff is obliged to inform the MPA if she is commencing employment with another employer, and is bound by the terms of her contract of employment to give due notice of resignation to the MPA if she is not returning to work after maternity.
- 4.2.9 In the case of members of staff with irregular earnings, such as some casual members of staff, Human Resources will assess each member of staff's entitlement to statutory or occupational maternity pay in consultation with the Department for Work and Pensions maternity helpline, based on their continuity of service with the MPA. Entitlement to statutory maternity pay will be calculated on the basis of the member of staff's average weekly pay, in accordance with the prescribed statutory formula. It will not normally be possible to give the member of staff an estimate of maternity pay until the time when the MATB1 certificate is received and the date of commencement of maternity leave is known. However, entitlements will not be less than the statutory. The MPA will seek advice from the DTI maternity help line, where appropriate.
- 4.3 Members of staff not eligible for maternity pay from the MPA
If a member of staff does not qualify for either occupational or statutory maternity pay, the MPA will complete a statement confirming that the member of staff is not eligible for statutory maternity pay, including the reason why. The member of staff must take this statement to her local Jobcentre or Benefits Agency Office, who will assess her entitlement to Maternity Allowance. Maternity Allowance is paid directly by the Benefits Office to the member of staff.

5. General Conditions

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5.1 Annual leave

5.1.1 Statutory holiday entitlement (4 weeks per year) will accrue throughout the ordinary and additional maternity leave period. Contractual holiday entitlement, which includes statutory holiday entitlement, will accrue throughout the OML (26 weeks) period only.

5.1.2 If they wish to do so, members of staff may take any annual leave, which they will accrue during their maternity leave period before commencing maternity leave. Alternatively they may use remaining leave immediately prior to their return to work, or after their return to work, subject to taking the leave within the leave year to which it applies.

5.2 Continuation of the contract of employment

5.2.1 Maternity Leave counts as continuous employment and will not affect the member of staff's continuous service with the MPA.

5.2.2 Apart from normal remuneration, all terms of the contract of employment continue throughout maternity absence. Staff will therefore be entitled to receive an annual increment (where applicable) on their salary scale, in accordance with the terms of their contract of employment.

5.3 Pensions

5.3.1 Local Government Pension Scheme (LGPS)

Deductions in respect of the Local Government pension scheme are made until such time as a period of unpaid maternity leave commences. The period of reduced pay counts for full service. Members of staff have the option of electing to backdate contributions to cover the period of unpaid maternity leave (the MPA paying the employer's contribution). Such an election must be made within 30 days of returning to work.

5.4 Terms and Conditions on returning to work

5.4.1 Where a member of staff has not indicated an anticipated date of return to work, the MPA will assume that it is the member of staff's intention to return to work at the end of her full entitlement of maternity leave, which is outlined in her letter confirming her entitlements. A member of staff who wants to return to work before the end of her full entitlement of maternity leave will need to give Human

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Resources 28 days' notice of the date on which she wants to return to work. The MPA may postpone a member of staff's return for up to 21 days if she gives less than 28 days' notice of her early return to work. Human Resources will write to the member of staff within 21 days of her return to work to confirm her reinstatement on the Payroll

- 5.4.2 Members of staff are entitled to return to the job in which they were employed under their original contract of employment and on terms and conditions which are not less favourable than those which would have been applicable to them if they had not been absent on maternity leave. For this purpose 'job' means the nature of the work which they were employed to do and the capacity and the place in which they were so employed.
- 5.4.3 Where it is not practicable for reason of redundancy or other exceptional circumstances, such as reorganisation, for the MPA to permit the member of staff to return to work in her job as defined above, she will be offered a suitable alternative vacancy where one exists, provided that the work to be done in that post is suitable to her and appropriate to the circumstances and that the capacity and place in which she is to be employed and her terms and conditions of employment are not substantially less favourable to her than if she had been able to return to the job in which she was originally employed.
- 5.4.4 Return to work on reduced working hours
- If a member of staff wishes to return to work on a part time or job share basis she should put this request in writing to the Head of Department at least 14 weeks before the date on which she intends to return to work. The member of staff should set out in writing the pattern of hours/days that she wishes to work and how, in her view, it could be accommodated within the needs of the Department. The Head of Department will consider any request to alter working hours carefully, objectively and sensitively, in consultation with Human Resources. . Requests to return to work on reduced hours will be dealt with expeditiously and the MPA will make every effort to arrive at a mutually suitable arrangement but this may take up to 14 weeks from the date of the request to finalise such an

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arrangement, particularly if they require external recruitment. Members of staff should bear this in mind when submitting such requests. In the case where the Department would suffer serious operational difficulties if a member of staff were to return to work on reduced working hours, the MPA will make every effort to find the member of staff alternative part time work in accordance with considerations outlined in 5.4.2.

It is at the MPA's discretion whether to agree, at the time of return to work, that the member of staff's part-time working will be reviewed after a determined period of time, with a view to establish whether the member of staff wishes to return to full-time work after the review period or wishes to remain part-time on a continuing basis. If the MPA is unable, at the time of the member of staff's return to work, to agree to such a review, the member of staff will be expected to reduce her hours of work to part-time on a continuing basis. However, this reduction in hours will not prevent her from applying to work additional hours in the future, where such hours are available.

5.4.5 Right to improvements to terms and conditions on return

A member of staff returning to work after maternity leave is entitled to benefit from any general improvements to rate of pay or other terms and conditions introduced during their absence, as though they had not been absent from the work place (including incremental progression, cost of living increases etc).

6. Summary of the member of staff's obligations

- 6.1 Proof of antenatal appointments must be provided at the Manager's request.
- 6.2 Entitlement to maternity leave and pay subject to medical evidence (normally certificate MATB1) confirming the EWC.
- 6.3 The member of staff must notify Human Resources of her intention to take maternity leave no later than the end of the 15th week before the EWC, unless this is not reasonably practicable. The member of staff needs to inform Human

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- Resources of the week her baby is expected to be born and when she wants her maternity leave to start.
- 6.4 Members of staff will be expected to return to work upon expiry of their maternity leave. Staff intending to return to work prior to the expiry of their maternity leave must inform Human Resources at least 28 days prior to returning to work.
- 6.5 Requests to return to work on reduced hours must be made in writing at least 8 weeks before the member of staff intends to return to work.
- 6.6 Members of staff are obliged to notify the MPA if they start work for another employer after childbirth, regardless of whether the maternity pay period has ended. Members of staff are bound by the terms and conditions of their contract of employment to give due notice if they intend to resign from their employment with the MPA.
- 6.7 Members of staff not returning to work after maternity leave, and who have received occupational maternity pay, will be obliged to pay back the last four weeks of half pay occupational maternity pay.

Section 2 - Adoption

1. Introduction

The purpose of this policy is to provide guidance and information on the entitlements to leave and pay arrangements associated with the adoption of a child. This policy applies to both male and female members of staff.

These provisions apply to members of staff who are matched for adoption on or after 6 April 2003 or placed for adoption on or after that date. Entitlements will differ in respect of adoptions prior to the above date. Human Resources will advise on entitlements.

2. General Conditions

Adoption leave is available to members of staff adopting children up to 18 years of age.

Adoption leave and pay will be available to: (a) individuals who adopt or (b) one member of a couple where a couple adopt jointly (the couple may choose which partner takes adoption leave).

The male partner of an individual who adopts may be entitled to paternity leave and pay.

In the case of a couple adopting a child, only one partner of the couple will be entitled to claim adoption leave and pay, whether or not both partners work for the MPA. In such cases, the other partner may be entitled to paternity leave and pay (Section 3 - Paternity Leave, paragraph 1 refers).

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Only one period of leave will be available irrespective of whether more than one child is placed for adoption as part of the same arrangement.

3. Eligibility

To be eligible for statutory adoption leave a member of staff must:

- a) be newly matched with a child for adoption by an approved adoption agency.
- b) have at least six months (26 weeks) continuous service with the MPA at the date at which they are notified of being matched with a child for adoption

4. Adoption Leave

A member of staff who satisfies the above qualifying conditions will be entitled to a total of up to 52 weeks' leave as follows:

- a) Up to 26 weeks' ordinary adoption leave (which will normally be paid – see Statutory Adoption Pay below), followed immediately by
- b) Up to 26 weeks' unpaid additional adoption leave

5. Adoption Pay

5.1 Statutory Adoption Pay

Statutory adoption pay is a state benefit and is payable for 26 weeks to members of staff who have:

- a) average weekly earnings above the Lower Earnings Limit for National Insurance Contributions (£75 a week from April 2002) and
- b) meet the qualifying conditions for statutory adoption leave.

The rate of Statutory Adoption Pay will be the same as the standard rate of Statutory Maternity Pay – which will be £100* a week or 90% of average weekly earnings if this is less than £100*.

Members of staff who have average weekly earnings below the Lower Earnings Limit for National Insurance Contributions (£75 a week from April 2002) will not qualify for SAP. In this case other financial support may be available from other sources.

5.2 Occupational Adoption Pay

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Occupational adoption pay is available to members of staff who have one year's continuous service with the MPA at the date at which they are notified of being matched with a child for adoption.

The MPA offers enhanced adoption pay for the first 14 weeks of ordinary adoption leave. For the period of the first six weeks occupational adoption pay includes the statutory adoption pay. However from weeks 7 to 14 inclusive, occupational pay is additional to statutory pay.

Members of staff entitled to occupational adoption pay will receive the following pay during their 26 weeks ordinary adoption leave: -

- First four weeks: Full pay
- 5th and 6th weeks: 9/10ths full pay
- 7th - 18th week: Half pay* plus £100* statutory adoption pay, with the total not exceeding normal weekly pay
- 19th week - 26th week: £100* statutory adoptive pay, or 9/10ths of normal weekly pay if this is less than £100*

6. When adoption leave may be taken

A member of staff may choose to start their leave on any day of the week:

- from the date of the child's placement (whether this is earlier or later than expected), or
- from a set date that can be up to 14 days before the expected date of placement.

If the child's placement ends during the adoption leave period, the member of staff will be able to continue adoption leave for up to eight weeks after the end of the placement.

7. Notice requirements

Members of staff may exercise any entitlement to adoption leave when they have complied with the appropriate notice requirements and provided evidence of entitlement to take adoption leave as detailed below.

The written notice required by the MPA from a member of staff intending to take adoption leave must:

- be given to the MPA within 7 days of being notified by their adoption agency that they have been matched with a child, unless this is not reasonably practicable;
- specify when the child is expected to be placed with them and the exact dates they want their adoption leave to start. Members of staff will be entitled to change the date on which

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they want their leave to start providing they give 28 days notice in writing to Human Resources and their line manager, unless this is not reasonably practicable.

Members of staff are required to provide documentary evidence – a matching certificate – from their adoption agency as evidence of their entitlement to SAP.

8. Contractual benefits during adoption leave

Contractual benefits, other than normal pay, will apply throughout the period of adoption leave as follows:

8.1 Incremental progression

Members of staff shall be entitled to receive the normal annual increment (where applicable) on their salary scale, in accordance with their contract of employment.

8.2 Annual leave

Statutory holiday entitlement (4 weeks per year) will accrue throughout the ordinary and additional adoption leave period. Contractual holiday entitlement, which includes statutory holiday entitlement, will accrue throughout the OAL (26 weeks) period only. If they wish to do so, members of staff may take any annual leave, which they will accrue during their adoptive leave period before commencing adoption leave. Alternatively they may use the remaining leave immediately prior to their return to work, or after their return to work, subject to taking the leave within the leave year to which it applies.

8.3 Pensions

8.3.1 Local Government Pension Scheme (LGPS)

Deductions in respect of the Local Government pension scheme are made until such time as a period of unpaid adoption leave commences. The period of reduced pay counts for full service. Members of staff have the option of electing to backdate contributions to cover the period of unpaid adoption leave (the MPA paying the employer's contribution). Such an election must be made within 30 days of returning to work.

9. Returning to work

9.1 Time of Return and Notification

The MPA will assume that the member of staff will return to work immediately following the last day of their entitlement to adoption leave, as notified to them.

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A member of staff who wants to return to work before the end of the full entitlement of adoption leave will need to give Human Resources 28 days' notice of the date on which they want to return to work. The MPA may postpone an employee's return for up to 21 days if they give less than 28 days' notice of early return to work.

9.2 Terms and Conditions

At the end of a period of adoption leave, the member of staff will be entitled to return to the job they were employed under their contract of employment and on terms and conditions no less favourable than those to which he/she would have been entitled had they not been absent.

If the MPA is unable to offer the member of staff the right to return to their original job because of circumstances preventing this, such re-organisation or redundancy, the MPA will offer the member of staff a suitable alternative vacant post where one exists.

9.3 Returning to work on reduced working hours

If a member of staff wishes to return to work on a part time or job share basis they should put this request in writing to the Head of Department at least 14 weeks before the date on which they intend to return to work. The member of staff should set out in writing the pattern of hours/days which they wish to work and how, in their view, it could be accommodated within the needs of the Department. The Head of Department will consider any request to alter working hours carefully, objectively and sensitively, in consultation with Human Resources. Requests to return to work on reduced hours will be dealt with expeditiously and the MPA will make every effort to arrive at a mutually suitable arrangement but may take up to 14 weeks from the date of the request to finalise such an arrangement particularly if they require external recruitment. Members of staff should bear this in mind when submitting such requests.

In the case where the Department would suffer serious operational difficulties if a member of staff were to return to work on reduced working hours, the MPA will make every effort to find the member of staff alternative part time work in accordance with considerations outlined in 9.2.

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It is at the MPA's discretion whether to agree, at the time of return to work, that the employee's part-time working will be reviewed after a determined period of time, with a view to establish whether the member of staff wishes to return to full-time work after the review period, or wishes to remain part-time on a continuing basis. If the MPA is unable, at the time of the member of staff's return to work, to agree to such a review, the employee will be expected to reduce their hours of work to part-time on a continuing basis. However, this reduction in hours will not prevent them from applying to work additional hours in the future, where such hours are available.

9.4 Right to improvements to terms and conditions on return

A member of staff returning to work after adoption leave is entitled to benefit from any general improvements to rate of pay or other terms and conditions introduced during their absence, as though they had not been absent from the work place (including incremental progression, cost of living increases etc).

Section 3 – Paternity Leave

1. Introduction

The paternity rights described below apply to members of staff whose children are born, on or after 6 April 2003, or in the case of adoption, in respect of children who are matched for adoption on or after 6 April 2003 or placed for adoption on or after that date.

Paternity provision will give eligible members of staff the right to take paid leave to care for the child or support the mother or the adopter, after the child's birth, or in the case of adoption, after the date of the child's placement.

Adoptive fathers whose spouse or partner is not eligible for, or is not electing to take adoption leave with her employer, are eligible to apply for adoption leave and pay. Further details about adoption leave and pay are in Section II of the Work and Parents Policy. Advice is available from Human Resources.

2. Paternity Leave

2.1 Eligibility

To be eligible for paternity leave a member of staff must have or expect to have responsibility for the child's upbringing and be either:

- a) the biological father of the child or the mother's husband or partner, or
- b) in the case of adoptive fathers, the adopter's spouse or partner taking time off either to support the mother or adopter or to care for the new baby or newly adopted child.

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Members of staff are required to comply with the notice requirements (paragraph 2.4 refers) and provide a self-declaration (paragraph 2.5 refers) as evidence that they meet the eligibility conditions for occupational paternity leave.

2.1.1 Entitlement

The MPA has an occupational entitlement to two week's paid paternity leave for all adoptive or non-adoptive fathers, regardless of length of service.

Members of staff are required to provide a self-certificate as evidence that they meet the eligibility conditions for paternity leave, as applicable (paragraph 2.5 refers).

2.2 Length of Time of Paternity Leave

Eligible members of staff will be entitled to take two consecutive weeks' paternity leave (not odd days).

They can choose to start their leave at one of the following times:

- from the date of the child's birth (whether this is earlier or later than expected), or, in the case of adoption, from the date of the child's placement (whether this is earlier or later than expected)
- from a chosen date after the child's birth or, in the case of adoption (Section 2 refers) after the date of the child's placement.

Leave can start on any day of the week on or following the child's birth or placement, but must be completed within 8 weeks (56 days) of the actual date of birth of the child, or within 56 days of the child's placement.

In the case of non-adoptive paternity leave, if the child is born early, leave must be completed within the period from the actual date of birth up to 8 weeks (56 days) after the expected week of birth.

Only one period of leave will be available to members of staff irrespective of whether more than one child is born as the result of the same pregnancy, or, in the case of adoptive members of staff, irrespective of whether more than one child is placed together.

2.3 Paternity Pay

Occupational paternity pay consists of full normal weekly pay.

2.4 Notice of intention to take paternity leave

Members of staff will be required to inform the MPA of their intention to take paternity leave by the end of the fifteenth week before the baby is expected,

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unless this is not reasonably practicable, or in the case of adoptive parents, within seven days of the adopter being notified by their adoption agency that they have been matched with a child, unless this is not reasonably practicable.

They will need to inform their Head of Department of the following:

- the week the baby is due, or for adoptive parents, the week when the child is expected to be placed;
- whether they wish to take one or two weeks' leave;
- when they want their leave to start; and
- the parent of an adopted child must also inform the MPA of the date on which they were notified of having been matched with the child.

Members of staff will be able to change their mind about the date on which they want their leave to start providing they tell their Head of Department at least 28 days in advance (unless this is not reasonably practicable).

2.5 Self Declaration

To apply for paternity entitlements, members of staff will have to give Human Resources a completed self-declaration as evidence of the date of birth of the child and their entitlement to paternity leave and pay. The self-declaration will include a declaration that the employee meets eligibility conditions and provide the information specified above as part of the notice requirements. The MPA will respond in writing to the employee within 21 days to confirm their entitlements.

2.6 Contractual benefits

Throughout paternity leave members of staff are entitled to the benefit of their normal terms and conditions of employment, except for terms relating to salary other than during the week of occupational paternity leave (when they will receive their normal weekly salary).

2.7 Return to work after paternity leave

Members of staff will be entitled to return to the job they were employed under their contract of employment and on terms and conditions no less favourable than those to which he would have been entitled had they not been absent on paternity leave. For this purpose 'job' means the nature of the work which they

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were employed to do and the capacity and the place in which they were so employed.

2.8 Right to improvements to terms and conditions on return

A member of staff returning to work after paternity leave is entitled to benefit from any general improvements to rate of pay or other terms and conditions introduced during their absence, as though they had not been absent from the work place (including incremental progression, cost of living increases etc).

Section 4 – Parental Leave

1. Introduction

Parental leave is an entitlement to unpaid leave to enable parents to take time off to care for a child. Parental leave provision is in addition to the MPA's entitlements in respect of Maternity Leave (Section I), Adoption Leave (Section II) and Paternity Leave (III) outlined in the Work and Parents policy.

2. Purpose of Parental Leave

2.1 Parental leave is unpaid and is intended for the purpose of caring for a child, i.e.:

- looking after a child; or
- making arrangements 'for the good of a child'.

2.2 Leave might be taken to enable parents to spend more time with young children.

Examples of how leave may be used are:

- spending more time with the child in early years (for example during Nursery or School holidays);
- to accompany a child during a stay in hospital;
- checking out new schools;
- settling the child into new child care arrangements; or
- to enable the family to spend more time together, for example, taking the child to stay with grandparents.

This is not an exhaustive list.

2.3 The MPA's Special Leave policy outlines arrangements for requesting time off to deal with sudden sickness of children.

3. Entitlements - conditions/requirements

3.1 Continuous Service

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Members of staff who have at least one year's continuous service are entitled to 13 weeks unpaid leave in respect of each child, under the age of five (18 years of age in the case of disabled children), (including adopted children) for which they have parental responsibility. Managers are advised to contact the Human Resources Department for confirmation of member of staff' continuous service. For children born or placed for adoption between 15 December 1994 and 14 December 1999 (paragraph 3.4 refers), the parent(s) must have either worked for their current employer continuously for one year by the time that they want to take the leave, or, have worked for a previous employer continuously for a year during the period 15 December 1998 and 9 January 2002 (paragraph 3.4 refers).

3.2 Definition of 'a week'

A week is equal to the length of time that a member of staff is normally required to work in a week. Where working patterns vary, an average working week should be calculated as a fraction of the period for which she/he is required to work in a year. (Calculations should exclude annual leave and sick leave).

3.3 Parental Responsibility

A member of staff has parental responsibility for a child if:

- a) they have parental responsibility for the child under the Children Act 1989(a) or have acquired it in accordance with the provisions of that Act;
- b) they have responsibilities for the child under the Children (Scotland) Act 1995(b) or have acquired it in accordance with the provisions of that Act; or
- c) they have been registered as the child's mother or father under any provision of section 10(1) or 10A(1) of the Births and Deaths Registration Act 1953(c) or of section 18(1) of the Registration of Births, Deaths and Marriages (Scotland) Act 1965(d).

3.4 Effective date - (15 December 1999)

Parental leave can be taken in respect of children born or adopted on or after 15 December 1999, up to the age of 5, (or 18 in the case of a disabled child - i.e. a child for whom a disability living allowance is awarded) or up to 5 years after the date of adoption/formal placement date (or up to 18 years of age in the case of a disabled child).

Where a child is adopted by a step-parent, the period in which leave can be taken starts when the parent acquires parental responsibility, until 5 years later.

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Parental leave can also be taken by parents of children who were under five at 15 December 1999 i.e. children born or placed with them for adoption between 15 December 1994 and 14 December 1999, provided that they have qualifying length of service (paragraph 3.1 refers). In these cases, parents have until 31 March 2005 to take their full entitlement to parental leave.

3.5 How much leave can be taken at a time/in one year?

A maximum of 4 weeks may be taken in any one year*. Of these 4 weeks, two weeks may be taken in single days and the other two weeks must be taken in blocks of one week (or more). If the member of staff has a disabled child, all parental leave may be taken in single days. (*A year commences on the date of birth or adoption of the child, or the date on which the member of staff satisfies the service criteria to qualify for parental leave).

3.6 Notice of intention to take leave

Members of staff must provide their line manager with notice of at least 21 days, of their request to take parental leave. Where prospective parents request to take leave around and/or after the expected birth/adoption, some flexibility regarding notice periods may be necessary.

3.7 Postponement of leave requests

The MPA may postpone requests for leave, for not more than 6 months, where substantial prejudice to the running of its business would be caused. In such circumstances, the reasons for postponement, together with the dates that the manager permits the member of staff to take parental leave will be confirmed to the member of staff, in writing, as soon as possible (please refer to paragraph 5.2 for more details). A copy must be sent to the Human Resources Department, for monitoring purposes and to be placed on the member of staff's human resources file.

3.8 Changing employers

Members of staff who change employer during the period of their entitlement to parental leave need to complete 12 months service with the new employer before they are entitled to request parental leave, unless continuous service is recognised (service with other bodies recognised under the Redundancy

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Payments Modification Order, will count for this purpose) Members of staff are entitled to no more than 13 weeks in total for each child.

3.9 Part-time members of staff

Part-time members of staff are entitled to an amount of parental leave in proportion to hours worked.

3.10 Parental leave following maternity leave

Parental leave may be taken immediately following exhaustion of a period of additional (unpaid) maternity leave, provided that the relevant parental leave notification requirements are complied with.

3.11 Parental leave: non-transferable

Parental leave is an individual entitlement and cannot be transferred between parents.

3.12 Rights on return to work

Members of staff are entitled to return from parental leave to the job in which they were employed under their original contract of employment and on terms and conditions which are not less favourable than those which would have been applicable to them if they had not been absent on paternity leave. For this purpose 'job' means the nature of the work which they were employed to do and the capacity and the place in which they were so employed.

4. Contract of Employment/Terms and Conditions

4.1 Continuation of the contract of employment

4.1.1 Parental Leave counts as continuous employment and will not affect the member of staff's continuous service with the MPA.

4.1.2 Apart from normal remuneration, all terms of the contract of employment continue throughout parental leave. Staff will therefore be entitled to receive an annual increment (where applicable) on their salary scale, in accordance with the terms of their contract of employment.

4.2 Terms and Conditions of employment

Periods of unpaid parental leave will not affect the member of staff's accrual of statutory employment rights.

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Entitlements to annual leave will normally continue to accrue during periods of unpaid parental leave taken during employment with the MPA.

4.3 Occupational Pension Rights

- Local Government Pension Scheme (LGPS)

If the period of unpaid parental leave is 30 days or less contributions will be deducted as per normal salary, in the month following the unpaid leave. If the unpaid absence amounts to more than 30 days, deductions in respect of the LGPS will not be made during the period of unpaid parental leave. In this case, members of staff have the option of electing to backdate contributions to cover the period of unpaid leave (the MPA paying the employer's contribution). Such an election must be made within 30 days of returning to work.

4.4 Right to improvements to terms and conditions on return

A member of staff returning to work after parental leave is entitled to benefit from any general improvements to rate of pay or other terms and conditions introduced during their absence, as though they had not been absent from the work place (including incremental progression, cost of living increases etc).

4.5 Members of staff not wishing to return following parental leave

A member of staff who does not wish to return to work following a period of parental leave must terminate their employment in accordance with their contractual notice requirements

5. Requesting Parental leave

5.1 Members of staff who wish to request unpaid parental leave should complete the Parental Leave Request Form, which can be obtained from the Human Resources Department, and forward this to their line manager for consideration as soon as possible, in accordance with the required notice periods (paragraph 3.6 refers).

5.2 Consideration of requests

Line managers should consider the request as soon as possible and, wherever possible, subject to the required notice provisions, approve this. Managers have the discretion to postpone requests for leave up to a maximum of 6 months where substantial prejudice to the running of business would be caused, except in cases

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where it would not be reasonable to do so, for example when the member of staff provides notice of a request for leave at the time of, or immediately following, their child's birth. Managers wishing to postpone leave should discuss the reasons for this with the member of staff as soon as possible and normally no later than 2 working days after receipt, and note these on the member of staff's parental leave request form. These reasons will be confirmed, in writing to the member of staff, within no more than 7 days after receipt of the original request from the member of staff. Consistency of rationale for postponing leave must be ensured.

Managers may wish to have recourse to advice from Human Resources in considering requests. A copy of the parental leave request form, incorporating the decision, must be sent to the Human Resources Department, for monitoring purposes, to enable the appropriate salary deductions can be made and to be placed on the member of staff's personnel file.

Managers may be justified in postponing leave when, for example:

- the work is at a seasonal peak;
- where a significant proportion of the workforce applies for parental leave at the same time (Managers are advised to seek advice from the Human Resources Department should this arise); or
- where the member of staff's role is such that their absence at a particular time would unduly harm the business.

The length of the postponed period of parental leave must be equivalent to the member of staff's original request.

If postponement of the member of staff's request for business reasons results in the end date of the member of staff's entitlement having passed (i.e. the child's fifth/eighteenth birthday (as applicable) or five years from date of adoption/placement), the member of staff must be permitted to take this period of parental leave after their entitlement expiry date.

5.3 Complaints of unreasonable refusal of requests

Members of staff who feel that they have been unreasonably refused leave should seek advice from the Human Resources Department.

5.4 Advice/guidance

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Advice/guidance may be sought from the Human Resources Department.

6. Monitoring & Recording Parental Leave Taken

6.1 Leave taken in previous employment

On commencement with the MPA, new members of staff will be requested by Human Resources, to complete and sign a declaration stating details of children for which they have parental responsibility and any parental leave taken in previous organisations, in respect of which child/children. HR Advisers will verify details of children's dates of birth and the member of staff's parental responsibility by seeking appropriate evidence (e.g. birth certificates, adoption papers, evidence of the award of a disability living allowance) from the member of staff. Former employers will be asked to confirm any parental leave taken during the person's period of employment with them.

This information will be provided to the Human Resources Department, in strict confidence and without prejudice.

6.2 Recording leave taken at London Metropolitan MPA

Managers should keep local records of parental leave taken by their members of staff, in respect of their children. HR Advisers will also record parental leave taken, in respect of the children of members of staff, on the HR/Payroll system, for central monitoring purposes.