

# **Legal Services Commission**

## **Gender Equality Scheme 2007**

**“The legal aid system is fundamental to social and legal justice. Our work protects people’s rights and helps enable them to play a fuller role in society.”**

**April 2007**

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**Community Legal Service Direct (CLS Direct)**

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[www.clsdirect.org.uk](http://www.clsdirect.org.uk)

**Legal Services Research Centre (LSRC):**

[www.lsrc.org.uk](http://www.lsrc.org.uk)

**Useful websites:**

Equal Opportunities Commission: [www.eoc.org.uk](http://www.eoc.org.uk)

Commission for Equality and Human Rights: [www.cehr.org.uk](http://www.cehr.org.uk)

Law Society: [www.lawsociety.org.uk](http://www.lawsociety.org.uk)

Legal Complaints Service Helpline: 0845 608 6565

[www.legalcomplaints.org.uk](http://www.legalcomplaints.org.uk)

Department of Communities and Local Government – [www.communities.gov.uk](http://www.communities.gov.uk)

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## Introduction to our scheme

At the Legal Services Commission (LSC) we are committed to promoting equality as an employer, a service provider and when carrying out our functions. In this scheme, we set out our plans for improving equality for our employees, our legal service providers and the clients they serve. Our action plan sets out the steps we will take to ensure equality for women and men, and will evolve to include additional actions as we progress.

### Our duties under the Equality Act 2006

The Sex Discrimination Act 1975, as amended by the Equality Act 2006, introduced a new duty on all public authorities to promote gender equality.

#### General Duty

In common with all public authorities, when carrying out our functions, we must have due regard to the need to:

- Eliminate unlawful discrimination and harassment on the grounds of sex; and
- Promote equality of opportunity between women and men.

#### Specific Duties

The Commission is also subject to certain specific duties which provide a framework for meeting the general duty. These are:

- To prepare and publish a gender equality scheme showing how we will meet the general and specific duties, and setting out our gender equality objectives.
- As part of our objectives, to consider the need to include objectives to address the causes of any gender pay gap.
- To gather and use information on how policies and practices affect gender equality in the workforce and in the delivery of our services.
- To consult our stakeholders (i.e. employees, service users, service providers and others, including trade unions) and take account of relevant information to determine gender equality objectives.
- To assess the impact of our current and proposed policies and practices on gender equality.
- To implement the actions in our scheme within three years unless it is unreasonable or impracticable to do so.
- To report against our scheme at least every year and review our scheme at least every three years.

## Transsexual People

The gender equality duty requires the LSC to have due regard to the need to eliminate unlawful discrimination and harassment in employment for transsexual people. By December 2007, this duty will be extended to include eliminating discrimination and harassment against transsexual service users.

The LSC will work to remove the barriers faced by transsexual people in employment and in accessing our services. We recognise that monitoring may be difficult due to low numbers and privacy concerns and we will respect a person's decision on whether to disclose.

### Further information about the Gender Equality Duty

The Equal Opportunities Commission provide further information about the gender equality duty on their website: [www.eoc.org.uk](http://www.eoc.org.uk)

From October 2007, the Commission for Equality and Human Rights will combine the Equal Opportunities Commission, the Disability Rights Commission and (from 2009) the Commission for Racial Equality. Further details can be found on the CEHR website: [www.cehr.org.uk](http://www.cehr.org.uk)

## The role of the Legal Services Commission

The LSC manages the provision of legal aid in England and Wales. We are also responsible for ensuring that people get the information, advice and legal help they need to deal with a wide range of problems.

We work in partnership with solicitors and not-for-profit organisations to provide information, advice and legal representation to people in need. Research has shown that legal aid clients are often vulnerable and socially excluded people who may have a variety of problems such as debt, housing or welfare benefits, or issues relating to crime.

We deliver legal services through two schemes:

- The Community Legal Service (CLS) is a network of organisations which funds, provides and promotes civil legal services from general information to advice and representation.
- The Criminal Defence Service (CDS) is run by the LSC in partnership with criminal defence lawyers and representatives. The purpose of the CDS is to ensure that people suspected or accused of a crime have access to advice, assistance and representation, as the interests of justice require.

The LSC currently employs around 1,650 people working in fifteen offices across England, one in Wales, and a Head Office in London. We also operate Public Defender Service (PDS) offices, where we directly employ people to deliver criminal legal aid.

In addition, the Legal Services Research Centre (LSRC), which is the independent research division of the LSC, conducts research in the areas of criminal and civil justice. More information can be found at: [www.lsrc.org.uk](http://www.lsrc.org.uk).

## **Our vision for the future**

The core purpose of the LSC is to help people in genuine need to receive high quality legal advice, assistance and representation.

Our vision is to be:

- Resolutely focused on legal aid clients;
- Delivering positive outcomes; and
- Providing value for money.

Our values are to be an organisation which is competent in all it does, and which is clear, confident and courageous in going about its business.

The LSC is currently going through a period of fundamental change, impacting on us as an organisation and also on the legal services we deliver. These changes focus upon what legal aid services we buy, who we buy them from and how we buy them. Where appropriate, Equality Impact Assessments will be undertaken on proposed changes to ensure that the changes do not unlawfully discriminate against clients, service providers or employees but do promote equality including gender equality.

The LSC will work with service providers to ensure that legal aid clients, with diverse needs, are treated fairly and given an appropriate high quality service.

## **Responsibility for our Gender Equality Scheme**

The Legal Services Commission Board has overall responsibility for our Gender Equality Scheme. The Commission Board is made up of independent Commissioners who oversee our work. They are appointed by the Secretary of State and Lord Chancellor and have a number of key responsibilities within the organisation. Their role can be compared to that of the directors of a public company.

Commissioner Tina Fahm is the LSC's equalities mentor. Tina uses her considerable experience of equality and diversity issues across a range of other activities to guide and inform the mainstreaming of equalities within the LSC and its public functions.

Our Chief Executive is accountable for the delivery of this Scheme and, with our Executive Team, is responsible for ensuring that our Scheme is put into action across the LSC. All members of the Executive Team receive regular updates on our progress towards delivering against our gender equality programme of action.

All LSC employees have a role to play in helping us to meet our duty to promote equality for women and men.

Our Equalities Action Group helps co-ordinate activity across the LSC and contributes to the development and implementation of strategies intended to ensure compliance with relevant legislation. Membership is drawn from employees with experience in key business areas.

## Equality impact assessments

Where appropriate, we carry out equality impact assessments on our policies, procedures and practices. These help us decide whether the impact of what we are doing or planning to do is likely to disadvantage women or men. We also look at other equality issues such as race and disability.

Where an adverse impact is identified, we look at what practical steps we could take to reduce or remove the impact subject to the policy objectives. Where possible we will modify the policy or practice.

The LSC has produced guidance for employees carrying out assessments and we have incorporated this into our own project management standards to ensure equality is considered at the outset. We have recently improved this guidance and have started delivering further training to key employees.

As we are currently going through a period of change, our attention will be focused on conducting impact assessments on these changes initially during 2007. Once the training programme has been completed, we will set out a schedule of other policies and procedures and projects that will be subjected to an impact assessment during 2007/08.

The new guidance and training will help ensure that any unjustified negative consequences of LSC strategy, policy and projects are eliminated or minimised and opportunities for promoting equality are maximised and pursued.

Equality impact assessments are published as part of our consultation documents and a number have been published on our website to support implementing the reform programme.

We will use the Provider Diversity Reference Group (see page 16) as one way of involving a wide range of people in reviewing and providing feedback on our assessments.

## Equality of opportunity for our employees

### **Equal Opportunities Employment**

The LSC aims to stand out as a public body in our commitment to equality and diversity, going beyond mere compliance. We will ensure fair and equal treatment for everyone. We value the variety of backgrounds, styles, perspectives, values and beliefs that people bring. Our equal opportunities employment policy sets out how we will make this a reality.

The policy covers equal opportunities in roles and responsibilities, recruitment and selection, training and development and assessment and feedback.

### **Understanding the views of our employees**

Each year, we use an external company to conduct an annual employees survey to capture the views of our employees about different aspects of the way in which we work. In total 77.1% of our employees completed the 2006 survey. This compares very well to the average take up for work place staff surveys of 64%.

All responses remain confidential and the external company provides the LSC with a national report, as well as reports for each business unit. These reports are shared with employees and are used to inform local and national action plans to address issues raised by the survey.

The survey results do not currently separate results for women and men. However, we do collate equal opportunities data which is broken down by gender. This data is collected from all our staff and this is reviewed on an annual basis.

### **Our workforce**

Our most recent Equalities Annual Report (2005/06) shows that women make up about 60%, and men about 40%, of the LSC's workforce. However, currently the majority of our senior staff are male.

We have introduced a Talent Management programme which is expected to have an impact by breaking down any glass ceilings that may exist to women. Of those included in the first round in 2006, there were eight women and three men. The Talent Management programme identified people with ability and potential to make a real and tangible difference to the organisation. We have an open and transparent process to identify these people so that everyone, no matter what their background, has the opportunity to benefit from this programme.

### **Supporting staff:**

**Managing flexible working:** The LSC has recently extended its Flexible Working policy to all employees, regardless of their caring responsibilities. The LSC will seek to accommodate requests for flexible working arrangements wherever possible in the context of business requirements.

The LSC's recruitment policy will require that all senior vacancies must be considered to see if they are suitable for job sharing or could be offered on a part-time basis.

**Maternity leave:** The LSC has always offered a very generous maternity scheme to employees. Those with babies due on or after April 1<sup>st</sup> 2007 can benefit from:

- 12 months' maternity leave for all expectant mothers, regardless of length of service with an additional 13 weeks' of paid leave (statutory maternity pay)
- Improved flexibility has been introduced and maternity leave can be started on any day of the week
- Up to ten "keeping in touch" days can be paid at the employee's normal salary to allow them to keep in touch with what is happening at the LSC during their maternity leave

**Paternity leave:** Ten days paid leave is available for fathers of newborn babies, regardless of the father's length of service.

**Parental leave:** Parents can benefit from 13 weeks' unpaid parental leave per child until they are 5 years of age.

**Adoption leave:** The LSC offers up to 52 weeks' adoption leave.

The LSC also offers 5 days paid **marital/partnership leave**.

Marital/partnership, maternity, paternity, adoptive and parental leave are all available to same-sex couples.

Our policies, and any changes to them, are publicised internally to ensure that all employees are aware of the support available to them.

### **Transgender staff**

The LSC has recently updated its equal opportunities policy to specifically include transgender staff. This policy is currently being discussed with the recognised Trade Unions prior to its publication.

Our equality and diversity training package has also been amended to ensure that transgender issues are included.

We have produced guidance and advice for employees and line managers about gender reassignment issues within the workplace.

### **Harassment Policy**

The LSC is opposed to harassment of any sort, whether gender based or not, and is committed to providing a climate free of harassment in which the dignity of all individuals is respected. Any allegations of harassment are treated seriously and, where appropriate, are investigated in accordance with our grievance procedure. This procedure sets out for employees how complaints relating to bullying, harassment or discrimination either formally or informally can be raised.

The LSC has established a confidential reporting line with an independent external company called "InTouch". This allows employees to report in confidence, and anonymously if they wish, any behaviour they experience or witness that they feel amounts to bullying, harassment or discrimination.

## **Employee Assistance Programme**

All employees and their immediate family members have access to the Employee Assistance Programme (EAP). The EAP is a confidential freephone telephone service that enables employees to access professional telephone or face-to-face counselling services as well as legal advice on any personal or work related matter.

## **Staff skills**

All employees receive compulsory general training on equality and diversity as part of their induction process, including valuing and promoting diversity. In addition to this, all employees with line management responsibility attend a compulsory one-day training course for managers, which is delivered by an external company.

## **Promoting equality throughout the organisation**

The LSC runs annual National Employee Awards. The aim of the awards is to recognise employee achievement, actively engage people in helping us realise our vision and to help to raise our game as an employer of choice.

We have introduced some new criteria for the 2007 awards. Our Leadership, Putting the Client First and Internal and External Customer Service Awards will need to demonstrate either:

- how the achievement has helped to promote equality and diversity (internally or externally); or
- how the person or team being nominated has contributed to promoting equality and diversity (internally or externally).

## **Gender Pay Gap**

In April 2007, our Human Resources team conducted a review of staff salaries to identify any differences in pay between women and men. Pay for part-time staff was also reviewed. No gender differences in pay were identified. The LSC is committed to reviewing pay from an equalities perspective on an annual basis.

## **Consultation with Trade Unions**

Our Human Resources Team hold regular meetings with representatives from our recognised Trade Unions to discuss existing and proposed policies which affect our employees.

## **Areas for action**

- Childcare vouchers: The LSC is currently tendering for a company to provide a childcare voucher scheme. The aim is for this to be in place by June 2007.
- We will establish a staff forum to involve employees in the development of employment policies and strategies that affect them. The forum will be in place by December 2007.

## Equality of opportunity for legal aid clients

### **The legal services context**

The English and Welsh Civil and Social Justice Survey is a large-scale representative household survey of people's experience of civil justice problems, the strategies employed to deal with them, barriers to advice, sources of financial support for advice and representation, the impact of problems and the impact of advice. The survey have been conducted in 2001, 2004 and, since January 2006, on a continuous basis. Further information can be found at [www.lsrc.org.uk](http://www.lsrc.org.uk).

While not found to be an important influence in predicting problems in general, there were significant differences in the types of problem reported by male and female respondents.

The research suggests female respondents were more than three times as likely to be victims of domestic violence than male respondents. Female respondents also reported having more problems with neighbours. In contrast, male respondents were much more likely to report unfair treatment by the police. There was also some indication that male respondents were more likely to report money/debt and employment problems.

A range of public information leaflets covering the issues mentioned above, can be ordered or downloaded free of charge from [www.clsdirect.org.uk](http://www.clsdirect.org.uk) or ordered from CLS Direct on 0845 345 4 345 or e-mail [LSCLeaflets@ecgroup.co.uk](mailto:LSCLeaflets@ecgroup.co.uk).

The LSC monitors the number of applications for civil representation received and publishes an annual breakdown by category of law and gender. The 2005/06 data shows that overall a significant majority of the applications received for legal aid come from women (60.3% women, 39.7% men). There were a higher proportion of female applicants for representation in the family and housing categories, while there were more male applicants in actions against the police, education, employment, public law, immigration and mental health cases.

Applications for civil legal aid funding may be granted, part granted or refused. The LSC publishes the relative success of applicants for civil representation by gender which for 2005/06 showed that overall a slightly higher number of applications were granted for female applicants (89.6%) than male applicants (87.8%).

This information and research feeds into our policy work and helps us to assess the likely impacts of our proposals.

### **The Statutory Charge**

At the end of a funded client's case, if they have recovered or preserved property with the benefit of legal aid, a statutory charge attaches to that recovered or preserved property (subject to some statutory exceptions). Further information about the charge and how it is calculated can be found in the LSC leaflet "Paying For Your Legal Aid" which is available on our website.

In certain cases (particularly family cases) where the property which is recovered or preserved is a home, or money to buy a home for the client or their dependents, enforcement of the statutory charge can be postponed.

If enforcement of the statutory charge is postponed, the LSC is obliged to secure its interest in that property by registering a land charge against it, and simple interest is charged on the amount of the statutory charge outstanding until it is repaid.

The LSC has approximately 60,000 postponed statutory charges which are registered against property in England and Wales. Of this number 78.5% are in the names of women. The reason why such a high proportion of land charges are in the names of women may be because it is more likely that the asset which they recover will be the former matrimonial home where they will stay with the children. Further, women are more likely to be financially eligible for legal aid in circumstances where the husband has higher earnings.

Legal aid therefore plays a vital role in redressing the financial imbalance which often exists in matrimonial disputes and ensures that all parties have access to justice.

## **Domestic Violence**

The family policy team within CLS Policy have developed a five-year strategy for family legal aid. 'Making Legal Rights a Reality for Children and Families' was published on 1 March 2006. The strategy document is available at [http://www.legalservices.gov.uk/civil/innovations/strategy\\_for\\_cls.asp](http://www.legalservices.gov.uk/civil/innovations/strategy_for_cls.asp).

Family clients who are at particular risk of social exclusion are a priority for accessing legal advice. This includes victims of domestic abuse. In our strategy we indicate that we will increase access to services for victims of domestic violence by commissioning services at the point of need. We will also work with stakeholder groups where appropriate, including domestic violence survivor groups, to understand and monitor the impact of the decisions we make.

## **Community Legal Service Direct**

Community Legal Service Direct (CLS Direct) is a free and confidential advice service paid for by legal aid. Our helpline **0845 345 4 345** provides independent advice about debt, education, benefits and tax credits, employment and housing problems to people who live on a low income or benefits. The LSC also delivers its services through the CLS Direct website ([www.clsdirect.org.uk](http://www.clsdirect.org.uk)) and a series of free legal information leaflets.

## **Client feedback**

Community Legal Service Direct provides advice and information direct to a diverse mix of people. To help ensure that CLS Direct continues to provide a high-quality service, they collect and analyse information about who their clients are, what they think about the service and whether it has met their needs. This information is used to identify how the service could be improved. They actively engage with customers by seeking their feedback and will involve both present and potential customers in any major service developments.

The 2007/08 client monitoring and feedback strategy specifically states that CLS Direct will:

- Monitor who is using the service against expected levels and take action to address any imbalance via targeted marketing or necessary service developments.
- Monitor feedback on the service analysing results according to gender.
- Use representative samples of our service make-up when seeking proactive feedback and consider conducting targeted feedback from gender specific groups on particular issues e.g. domestic violence.
- Once the need for a new product or development to an existing service has been identified, conduct an equalities impact assessment. Where possible then consult with a representative sample of our clients through focus groups, consumer testing or liaison with representative bodies.

### **Information leaflets**

CLS Direct produces a series of information leaflets, which provide basic information on key areas of law that affect people's lives. Topics include:

- Employment (including rights on maternity/paternity leave and child care);
- Domestic Violence, Abuse and Harassment (which applies to women and men);
- Equal Opportunities (including gender and transgender rights); and
- Living Together and your Rights if you Separate.

These leaflets can be ordered or downloaded free of charge from [www.clsdirect.org.uk](http://www.clsdirect.org.uk) or ordered from CLS Direct on 0845 345 4 345 or e-mail [LSCLeaflets@ecgroup.co.uk](mailto:LSCLeaflets@ecgroup.co.uk).

### **Areas for action**

Implementation of the 2007/08 Customer Monitoring and Feedback Strategy. All customer monitoring and feedback reports will be reviewed quarterly and used to inform production of customer service improvement plans and marketing plans where relevant. All reports will be considered from an equalities perspective and specific action taken if necessary.

### **CDS Direct**

Criminal Defence Service Direct provides independent telephone advice by qualified advisers to those detained at police stations for certain types of offences. If a client has difficulty in understanding the advice being given over the telephone, CDS Direct will not continue to advise them and a legal advisor will be deployed to the police station to advise the client face-to-face. Under the Police And Criminal Evidence (PACE) codes, the police are responsible for vulnerable clients i.e. those aged 17 or younger, clients with learning disabilities/mental health issues or otherwise seen as vulnerable, for arranging attendance by an appropriate adult to ensure that the client understands the detention process and to safeguard the interests of the client.

In the past we did not ask the providers of criminal legal aid work to gather equal opportunities information about clients benefiting from Criminal Defence Service funding. In November 2006, we issued amended CDS forms so that the relevant equalities data is collected and recorded.

## **Procurement**

In addition to contracts with providers of legal and advice services, the LSC also enters into procurement contracts for the provision of goods and services to the LSC (e.g. to provide office furniture). Our procurement policy prohibits discrimination on any ground including sex, gender reassignment, pregnancy, maternity and paternity.

Our standard contract terms require suppliers to comply with equalities legislation and to have in place a written equal opportunities policy that sets out their policies for tackling discrimination and promoting equality in relation to their policies and practices as an employer and service provider.

## Equality of opportunity for providers of legal services

### Reform of legal aid procurement

In July 2006, Lord Carter published his report of his review of legal aid procurement. The recommendations contained within the report will lead to major changes in the way public legal services are delivered and paid for.

The LSC believes that the recommendations offer an important opportunity to ensure that legal aid has a sustainable future - one that continues to safeguard people's fundamental legal rights while providing value for the taxpayer and opportunities for good quality, efficient service providers to grow and prosper.

The LSC and Department for Constitutional Affairs (DCA) have already consulted on the initial recommendations contained in the report. In November 2006, the LSC and DCA outlined a major programme of reforms for legal aid aimed at ensuring the system remains sustainable for the future. Since this time, the LSC has been working towards delivering the reforms and consultations have been published on the LSC website.

### Procurement of legal aid services

The LSC has a strong commitment to developing our vision and strategy for the promotion of equality and diversity in the providers of legally aided services. One way we can do this is to use our contract terms to promote diversity within our providers and to ensure they are equipped to respond to their diverse client groups.

In February 2007, the LSC published the final version of the new Unified Contract for civil legal aid providers which replaces the existing contract and comes into force on 1 April 2007. A provider must have a contract with the LSC in order to carry out legal aid funded work.

The Unified Contract contains an Equality and Diversity Annex which requires providers to have an equality and diversity policy, training plan and communications plan in effective operation by no later than October 2007. The LSC is currently preparing guidance to support providers to achieve this.

As a minimum, the Equality & Diversity Policy must include:

- a) a commitment to the principles of equality and diversity and to observing legislative requirements;
- b) how the provider will meet the diverse needs of the clients and local community or communities that they serve;
- c) how the policy will be implemented, monitored, evaluated and updated;
- d) how the provider intends to ensure equality in relation to their personnel, clients, potential clients and other third parties;
- e) how complaints and disciplinary issues will be dealt with;
- f) requirements that no members of personnel unlawfully discriminate in dealings with other members of staff, clients, potential clients or other third parties.

## Provider Diversity Project

The Provider Diversity Project looks to develop the LSC's work on equality and diversity. The LSC has recently appointed a Head of Provider and Client Diversity who will take up post in April 2007 to drive this forward.

The LSC has put together an external reference group (the Provider Diversity Reference Group), with representatives from various equality organisations (see below). The Group advises and constructively challenges the LSC as it develops its vision and strategy.

Commissioner Tina Fahm chairs the Group, which met for the first time in July 2006 and again in October and December 2006 and April 2007. The main focus of these meetings has been the reform programme.

As at April 2007, membership included representatives from:

Society of Asian Lawyers	Association of Muslim Lawyers
Association of Women Barristers	Young Solicitors Group
Group for Solicitors with Disabilities	Law Society
Commission for Racial Equality	Bar Council
Advice Services Alliance	Black Solicitors' Network
Lesbian and Gay Lawyers Association	

Group members have reviewed this Scheme.

### LSRC diversity questionnaire

The Legal Services Research Centre conducts equal opportunity surveys of legal aid service providers. The survey findings, covering ethnicity, gender, disability and age, are published on the LSRC website. This information feeds into the LSC's policy work and will inform the Provider Diversity Project as it develops. Completion of the survey has been made compulsory to strengthen the data available.

The 2006 survey showed that there was little regional variation in respect of ownership and control of providers by gender. For solicitors, the South East and London had the highest percentage of female managerial control.

### Provider Survey

We carry out a survey of the views of legal service providers on the service they receive from the LSC.

The 2005 survey showed that 62% of those providers who responded felt that the LSC promotes equal opportunities; 6% of providers felt that we did not and the remainder did not know. We will promote this scheme to help raise awareness among providers of what we are doing to improve services for women and men. We are planning to carry out the next survey during 2007.

## **Arrangements for gathering information**

The LSC gathers a wide range of information as an employer and in the delivery of its services and functions. This information is reported through our Equalities Annual Report which is published on our website.

In employment, we monitor and report on recruitment and retention of staff, leaving, training, reward and recognition, and grievance and disciplinary proceedings.

In the delivery of our functions, examples of information gathered includes:

- Success rates for individual applications for case funding;
- Organisations which have been awarded LSC contracts;
- Results of our equality impact assessments (as part of the consultation process);
- Organisations in receipt of grants from the LSC;
- Recipients of LSC training grant scheme;
- Demand for telephone information from CLS Direct; and
- Complaints of discrimination made to the LSC.

### **Addressing gaps in our information gathering**

We want to be clear about the type of information we need to track our performance towards meeting our commitment to providing equal opportunities and which areas we will need to address. A small team is looking at our data and deciding what information we require and the purpose for which we require it. This will ensure that we do not collect unnecessary data and that information we do collect will be put to practical use to improve our services.

We have also taken steps to strengthen our information gathering in relation to employment matters by creating a human resource information system.

As we move towards electronic delivery, we will be reviewing the ways in which we collect information about providers and clients so that we continue to capture informed data to feed into the development of policies and practices.

## **Using the information**

The LSC will publish an annual report setting out the steps we have taken under our action plan, the results of our information gathering and the steps we have taken to promote equality of opportunity. We anticipate that this will form part of our Equalities Annual Report.

This Gender Equality Scheme will be revised at least every three years.

## Complaints

The LSC is committed to providing the best possible service for all our customers. Our aim is to get it right first time, but we are aware that mistakes sometimes happen.

If you feel that our employees have treated you in a discriminatory manner, you have a right to complain to us. Information can be found in our complaints leaflet available on our website at [http://www.legalservices.gov.uk/aboutus/contact\\_us.asp](http://www.legalservices.gov.uk/aboutus/contact_us.asp). Your complaint will be dealt with by employees with experience, knowledge and authority to investigate and respond to your complaint as quickly and fairly as possible.

We also require providers carrying out publicly funded legal services to have an equal opportunities policy and operate complaints procedures. If you feel that a provider has treated you in a discriminatory manner, you should complain to them using their complaints procedure in the first instance.

The Legal Complaints Service investigates complaints about solicitors. They can be contacted via their helpline on 0845 608 6565 and their website: [www.legalcomplaints.org.uk](http://www.legalcomplaints.org.uk).

## Your feedback and comments

As part of the development of our scheme, a questionnaire has been included which invites your views on the content of our scheme. We also welcome feedback on other issues associated with our scheme and action plan.

If you would like to actively engage with us to help plan our services and continue to develop this Scheme and action plan, we would like to hear from you. Please send your contact details to Daniel Regan. This will not in itself place any commitment on you but we may get in touch to discuss specific matters with you or invite you to join any focus group we set up.

Please address any comments to:

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## Annex A: Gender Equality Programme of Action 2007- 2010

<b>Equality of opportunity for employees</b>				
<b>General and Specific Gender Equality Duties</b>	<b>What actions will we take?</b>	<b>Success is...</b>	<b>By whom</b>	<b>By when</b>
<p><u>General Duty:</u> Promote equality of opportunity between women and men</p> <p><u>Specific Duty:</u> To gather and use information on how policies and practices affect gender equality in the workforce</p>	<p>Improve our equal opportunities monitoring by implementing a central HR database to record monitoring data across all HR activities.</p> <p>We will continue to analyse the workforce profile of our employees and publish our findings annually.</p>	<p>Implementation of a human resource information system, providing accurate equality and diversity data on LSC employees.</p> <p>Employment data reported within our Equalities Annual Report with commentary on the steps we are taking to promote equality of opportunity.</p> <p>Data collection system producing accurate information leading to an action plan to tackle identified areas.</p>	Human Resources	<p>From January 2007</p> <p>January 2008</p> <p>On-going</p>
<p><u>Specific Duty:</u> To consult our stakeholders and take account of relevant information to determine gender equality objectives</p>	<p>Continue to measure employees' perception of equality and diversity through our employees survey and respond to feedback in both local and national action plans, as appropriate.</p>	<p>Gaining a more positive response to questions relating to equality and diversity in the employees survey.</p>	Human Resources	Annually

## Equality of opportunity for employees

General and Specific Gender Equality Duties	What actions will we take?	Success is...	By whom	By when
<p><u>General Duty:</u> Promote equality of opportunity between women and men</p> <p><u>Specific Duty:</u> To consult our stakeholders and take account of relevant information to determine gender equality objectives</p>	<p>We will establish a staff forum to involve employees in the development of employment policies and strategies that affect them.</p> <p>An Executive Team member will take responsibility for the forum as a diversity champion.</p>	<p>Effective engagement with employees on matters relating to gender equality.</p> <p>A support network provided for employees, which they feel confident to use.</p> <p>Gaining a better insight into the barriers and disadvantages that male and female employees may face and taking positive action to remove them.</p>	Human Resources	December 2007
<p><u>Specific Duty:</u> To gather and use information on how policies and practices affect gender equality in the workforce</p>	Implement consistent processes within HR functions for sending, receiving and recording equal opportunities monitoring forms relating to all job applicants.	<p>Consistent monitoring data received on which to base sound employment policies.</p> <p>More informed data reported in our Equalities Annual Report, along with actions we will take to promote equality of opportunity.</p>	Human Resources	December 2007
<p><u>General Duty:</u> Promote equality of opportunity between women and men</p>	<p>We will continue to provide equality and diversity training for our employees.</p> <p>Continue to deliver a classroom-based equalities training course for managers.</p>	<p>90% of employees will have completed the training course by April 2007.</p> <p>All employees are aware of the rights and responsibilities relating to equality law and LSC policy.</p>	Human Resources	April 2007 and on-going

## Equality of opportunity for employees

General and Specific Gender Equality Duties	What actions will we take?	Success is...	By whom	By when
<p><u>General Duty:</u> Promote equality of opportunity between women and men</p>	<p>Ensure equality is included as part of the judging criteria for the people focused categories of the National Employee Awards.</p>	<p>Increased awareness and activity relating to equality and diversity throughout the LSC.</p> <p>Equality and diversity recognised as being part of everything we do at the LSC.</p> <p>Rewarding employees who are recognised as having demonstrated a high level of achievement in the area of equality and diversity.</p>	<p>Human Resources</p>	<p>May 2007 and annually thereafter</p>
<p><u>General Duty:</u> Promote equality of opportunity between women and men</p> <p><u>Specific Duty:</u> Consider the need to include objectives to address the causes of any gender pay gap</p>	<p>Conduct an annual pay review from a gender perspective.</p>	<p>A pay review is conducted from a gender perspective. Any gender pay gap issues identified are investigated and acted upon.</p>	<p>Human Resources &amp; Payroll Department</p>	<p>April/May 2008</p>

## Equality of opportunity for employees

General and Specific Gender Equality Duties	What actions will we take?	Success is...	By whom	By when
<p><u>General Duty:</u> Promote equality of opportunity between women and men</p> <p>Eliminate unlawful discrimination and harassment on the grounds of sex</p>	<p>Launch Respect at Work Policies. These are anti-bullying, equal opportunity and anti-harassment policies and the Respect at Work Grievance Procedure</p> <p>Human Resource Managers to deliver workshops to ensure all employees and line managers are familiar with the policies.</p>	<p>Respect at work policies implemented and all employees and line managers are familiar with the policies.</p> <p>Employees feel confident that bullying and harassment issues are being addressed.</p>	Human Resources	Launch policies in April 2007
<p><u>General Duty:</u> Promote equality of opportunity between women and men</p>	Tender for a company to provide a childcare voucher scheme.	Introduce a childcare voucher scheme to support LSC staff with children.	Human Resources	June 2007
<p><u>General Duty:</u> Promote equality of opportunity between women and men</p> <p>Eliminate unlawful discrimination and harassment on the grounds of sex</p>	We will produce guidance for employees and line managers on the workplace and gender reassignment.	Clear guidance is in place which supports staff.	Human Resources	April 2007

## Equality of opportunity for legal aid clients

General and Specific Gender Equality Duties	What actions will we take?	Success is...	By whom	By when
<p><u>Specific Duty:</u> To gather and use information on how policies and practices affect gender equality in the workforce</p>	<p>Legal Services Research Centre to continue to conduct research into Civil &amp; Social Justice to identify the strategies people adopt to deal with their problems, the barriers to advice, sources of financial support for advice, the impact of problems and the impact of advice.</p> <p>The findings from this research will be used to inform the development of LSC strategy and policy for the delivery of legal services to meet the needs of client groups.</p>	<p>Sound empirical research, particularly relating to the advice needs of client groups, including women and men, will be published to inform policy decisions.</p>	<p>Legal Services Research Centre</p> <p>Policy Developers</p>	<p>Reported annually</p> <p>Ongoing</p>
<p><u>General Duty:</u> Eliminate unlawful discrimination and harassment on the grounds of sex</p> <p><u>Specific duty:</u> Gather and use information on how policies and practices affect gender equality in the delivery of services</p>	<p>To gather, within our complaints monitoring reports, information on the gender of the complainant as well as the reason for the complaint.</p>	<p>The views of women and men are recorded, understood and acted upon and we are able to evidence the action we have taken to remove barriers identified by complainants.</p>	<p>Service Delivery Team</p>	<p>2007 and ongoing on a quarterly basis</p>

## Equality of opportunity for legal aid clients

General and Specific Gender Equality Duties	What actions will we take?	Success is...	By whom	By when
<p><u>General Duty:</u> Promote equality of opportunity between women and men</p> <p><u>Specific duty:</u> Gather and use information on how policies and practices affect gender equality in the delivery of services</p>	<p>CLS Direct will implement its client information and feedback strategy. This will detail who is using the service as well as capturing what they think about the service.</p>	<p>Implementation of the client information and feedback strategy, which monitors who uses CLS Direct and the views on the service received.</p> <p>Data will be reviewed quarterly and the service improvement plan will be implemented as necessary based upon the findings.</p>	<p>Direct Services</p>	<p>Ongoing throughout 2007/08</p>
<p><u>General Duty:</u> Promote equality of opportunity between women and men</p> <p><u>Specific Duty:</u> To consult our stakeholders and take account of relevant information to determine gender equality objectives</p>	<p>As part of our family legal aid strategy to support victims of domestic violence (DV) we will:</p> <ul style="list-style-type: none"> <li>• Introduce discretion to waive both income and capital eligibility limits for legal aid funding (April 2007)</li> <li>• Introduce a stronger presumption of the use of mediation to resolve family disputes. Where DV may be or have been an issue and the case is deemed appropriate for mediation, this can be safely facilitated through, for example staggered arrival and leaving times and shuttle mediation ( October 2007).</li> <li>• Work with survivor groups to identify how best DV services can be delivered</li> <li>• Begin to contract for DV services at point of need, e.g. in refuges.</li> </ul>	<p>Improved access to services for victims of domestic violence. Services will be commissioned at the point of need and we will work with stakeholder groups (including domestic violence survivor groups) to understand and monitor the impact of our decisions.</p>	<p>CLS Policy Team</p>	<p>From April 2007</p>

## Equality of opportunity for legal service providers

General and Specific Gender Equality Duties	What actions will we take?	Success is...	By whom	By when
<p><u>General Duty:</u> Promote equality of opportunity between women and men</p> <p><u>Specific Duty:</u> To consult our stakeholders and take account of relevant information to determine gender equality objectives</p> <p>To gather and use information on how policies and practices affect gender equality in the delivery of services</p>	<p>Take forward work on Provider Diversity to consider the reforms for procuring legal services and any adverse equal opportunities impact on legal service providers (solicitors and Not for Profit organisations) and their clients.</p> <p>Maintain a Provider Diversity Reference Group to help inform LSC's strategies and vision for the provision of legal services in the future.</p> <p>We will collect information about the legal services required by women and by men through strategies developed by the LSC to obtain feedback direct from clients.</p>	<p>An effective reformed scheme delivering quality services by diverse providers to meet diverse client needs.</p> <p>Effective contributions provided to inform the development of sound strategies designed to provide a sustainable legal aid scheme for the future. The Group effectively informs and contributes to the development of LSC policy and strategy towards delivering a sustainable legal aid system for the future.</p>	<p>Head of Provider and Client Diversity</p> <p>Head of Provider and Client Diversity</p>	<p>Work to begin in April 2007</p> <p>Meetings held at least twice per year.</p> <p>Meetings will be held bi-monthly in 2007.</p>

## Equality of opportunity for legal service providers

General and Specific Gender Equality Duties	What actions will we take?	Success is...	By whom	By when
<p><u>General Duty:</u> Promote equality of opportunity between women and men</p> <p><u>Specific duty:</u> To gather and use information on how policies and practices affect gender equality in the delivery of services</p>	<p>The LSRC to conduct monitoring of LSC funded provider diversity.</p>	<p>The LSRC will publish an annual report measuring the diversity of the LSC's provider base and assessing changes over time.</p> <p>The report will monitor the impact of the LSC's policies and practices on the ethnic, gender, disability and age profile of providers. The findings from this research will be used to assess existing practices and to inform the development of LSC strategy and policy.</p>	<p>Legal Services Research Centre</p>	<p>Reported annually</p>
	<p>We will continue to carry out a customer survey of legal service providers to understand their views of the service they receive from the LSC.</p>	<p>The feedback received will be analysed and used to inform improvements in the service we deliver.</p>	<p>Service Delivery Team</p>	<p>Ongoing – next survey in 2007</p>
<p><u>General Duty:</u> Promote equality of opportunity between women and men</p> <p>Eliminate unlawful discrimination and harassment on the grounds of sex</p>	<p>Implement changes to the requirements in our contracts with legal service providers.</p> <p>The LSC will produce guidance to support providers in producing their equality and diversity policy, training plan and communications plan.</p>	<p>Civil legal aid providers required to have an effective equality and diversity policy, training plan and communications plan in place.</p>	<p>Corporate Legal Team/ Policy Directorate/ Secretariat</p>	<p>Civil Providers – October 2007</p> <p>Changes to the criminal legal aid contract will be implemented from April 2008.</p>

## Equality Impact Assessments

General and Specific Gender Equality Duties	What actions will we take?	Success is...	By whom	By when
<p><u>General Duty:</u> Promote equality of opportunity between women and men</p> <p>Eliminate unlawful discrimination and harassment on the grounds of sex</p> <p><u>Specific duty</u> To assess the impact of current and proposed policies and practices on gender equality</p>	<p>Equality Impact Assessments are carried out as part of our policies, procedures and practices.</p> <p>These will be published within consultations.</p>	<p>Equality Impact Assessments are carried out and opportunities to promote gender equality are identified.</p> <p>Gender equality improvements and amendments are captured and reported in our Equalities Annual Report and/or within consultation documents.</p> <p>Where appropriate, policies are modified/amended or the justification for the policy is clearly set out.</p>	<p>Secretariat and appropriate Policy/Delivery Team</p>	<p>Ongoing</p>
	<p>Internal guidance on conducting Equality Impact Assessments to be reviewed updated and implemented.</p> <p>Further training on equality impact assessments delivered to key LSC employees.</p> <p>Develop schedule of equality impact assessments to be undertaken in order of priority.</p>	<p>Positive feedback received from employees on their confidence in implementing the new guidance.</p> <p>Equality Impact Assessments conducted on all key policy developments</p> <p>Outcomes demonstrate that, as far as possible, any negative consequences of LSC strategy, policy or projects are eliminated or minimised and opportunities for promoting equality are maximised.</p>	<p>Secretariat/Head of Provider and Client Diversity</p>	<p>By end 2007</p>

## Using the information

<b>General and Specific Gender Equality Duties</b>	<b>What actions will we take?</b>	<b>Success is...</b>	<b>By whom</b>	<b>By when</b>
<p><u>Specific Duty</u> To gather and use information on how policies and practices affect gender equality</p>	<p>Review the requirements for the collection of equalities data.</p>	<p>The information we do collect is put to practical use to improve our policies, strategies and performance.</p>	<p>Secretariat</p>	<p>March 2007</p>
<p><u>Specific Duty</u> To consult our stakeholders and take account of relevant information to determine gender equality objectives</p>	<p>Feedback from stakeholders on the draft scheme will be taken into account in final version of Scheme and in prioritising actions in Action Plan</p> <p>Feedback from the Provider Diversity Reference Group to be taken into account in final Scheme and Action Plan.</p>	<p>The Draft Gender Scheme is published on the LSC website and feedback responses are reflected in the final scheme and action plan.</p>	<p>Secretariat</p>	<p>March 2007</p>
<p><u>Specific Duty</u> Prepare and publish a gender equality scheme showing how we will meet the general and specific duties and setting out our gender equality objectives</p>	<p>Final version of Gender Equality Scheme published.</p>	<p>Our Gender Equality Scheme is published by 30 April 2007 and sets out how we intend to meet our general and specific duties.</p>	<p>Secretariat</p>	<p>April 2007</p>

## Using the information

General and Specific Gender Equality Duties	What actions will we take?	Success is...	By whom	By when
<p><u>Specific Duty</u> To report against our scheme at least every year</p>	<p>We will review our action plan annually and report on our performance and future plans.</p>	<p>Our action plan is reviewed annually and our performance against the action plan is published.</p> <p>We will update our action plan following each review to ensure that it remains relevant and is focussed on promoting equality of opportunity.</p>	<p>Secretariat</p>	<p>By April 2008</p>
<p><u>Specific Duty</u> To review our scheme at least every three years</p> <p>To implement the actions in our scheme within three years unless it is unreasonable or impracticable to do so</p>	<p>Our Gender Equality Scheme and action plan will be reviewed at least every three years.</p>	<p>An updated Gender Equality Scheme and action plan will be published in 2010.</p> <p>The updated scheme will detail the steps we have taken to meet our action plan and will detail our planned activity for the period 2010 – 2013.</p>	<p>Secretariat</p>	<p>April 2010</p>
<p><u>Specific Duties</u> To consult our stakeholders and take account of relevant information to determine gender equality objectives</p> <p>To implement the actions in our scheme within three years unless it is unreasonable or impracticable to do so</p>	<p>We will continue to support an internal Equalities Action Group, which will bring together key LSC employees to contribute to equalities activity and share best practice.</p>	<p>We are able to demonstrate improved co-ordination of equalities activity across the LSC.</p> <p>We will report on the contribution of our Equalities Action Group as part of our annual reporting.</p>	<p>Secretariat</p>	<p>Ongoing</p>

## Gender Equality Scheme 2007 Questionnaire

The Legal Services Commission's Gender Equality Scheme sets out how we will promote gender equality in our role as a service provider and employer.

We would like to know your views and comments on our scheme. Please feel free to complete any or all of the questions below or to return your feedback in an alternative format.

If you would like this questionnaire in an alternative format, please telephone Daniel Regan on 020 7759 0430 or e-mail [daniel.regan@legalservices.gov.uk](mailto:daniel.regan@legalservices.gov.uk)

### Question 1

How easy did you find our Gender Equality Scheme to understand?

Very easy

Fairly easy

Neither easy or  
difficult

Difficult

Very Difficult

### Question 2

In our scheme we explain the Commission's role and vision for the future. Based upon this, what do you think are the priority areas where we should be taking action to make a difference to the lives of women and men?

Gender Equality Issue	How the LSC should address the issue
1	
2	

### Question 3

Our scheme details how we have and will continue to involve people in developing, progressing and reviewing our scheme and action plan.

Do you think these steps go far enough to involve people in our work? If not, can you suggest better ways for us to involve people in our work?

Yes

No

Partially

Comments:

**Question 4**

Our action plan sets out the steps we will take to promote equality of opportunity for women and men. Do you think that any actions should be deleted, amended or added?

**Question 5**

General comments: Please feel free to provide any additional comments or continue on an attached separate sheet.

**About You**

This information will help us to understand who we are engaging with and any gaps that may exist. The information will be stored confidentially.

Are you responding as:

- A person who has applied for or received legal aid funding
- A member of the public
- An organisation (please state which)
- An employee of the Legal Services Commission
- Other – please state:

Completed questionnaires can be returned by e-mail, fax or post to:

Daniel Regan, Equality & Diversity Co-ordinator, Legal Services Commission, 4<sup>th</sup> Floor, 85 Gray's Inn Road, London, WC1X 8TX

E-mail: [daniel.regan@legalservices.gov.uk](mailto:daniel.regan@legalservices.gov.uk)

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