

To:	Board		
Date of Meeting:	24 March	Item:	Paper (10) 24

Title:	Equality scheme 2010/11		
Workstream(s):	Developing a workforce for a changing market		
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Status:	Unclassified (fit for FoI Publication Scheme release)		

Summary:
<p>On 10 March 2010, the LSB completed the consultation process on the draft Equality Scheme ('the Scheme'). The feedback received from the three workshops and the draft consultation document has been summarised in a response document to be published with the Final Scheme in April 2010. The exercise has been helpful in building links with a variety of stakeholders and provided some helpful comments to amend and strengthen the Scheme. The Board is invited to note the contents of this paper, which summarises the main suggestions and our response to those suggestions. The Board is invited also to delegate authority to approve the Final Scheme to the Chairman and the Chief Executive.</p>

Risks and mitigations	
Financial:	N/A.
FoIA:	Fit for release under the FoI Publication Scheme.
Legal:	N/A.
Reputational:	N/A.
Resource:	Website development requirements are not explicitly budgeted for.

Consultation	Yes	No	Who / why?
Board Members:		✓	
Consumer Panel:		✓	
Others:	N/A.		

Recommendations:
<p>The Board is invited:</p> <ol style="list-style-type: none"> (1) to note the summary of the main suggestions for amendment to the draft Equality Scheme; (2) to note and comment on the LSB's suggested response to the suggestions for amendment to the draft Equality Scheme; and (3) to delegate authority to approve the Final Equality Scheme to the Chairman and the Chief Executive.

LEGAL SERVICES BOARD

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Equality scheme 2010/11

Recommendations

The Board is invited to:

- (1) to note the summary of the main suggestions for amendment to the draft Equality Scheme;
- (2) to note and comment on the LSB's suggested response to the suggestions for amendment to the draft Equality Scheme; and
- (3) to delegate authority to approve the Final Equality Scheme to the Chairman and the Chief Executive.

The draft Equality Scheme consultation process

1. On 16 December 2009, the draft Scheme was published on the LSB's website for a 12 week consultation period ending 10 March 2010. We received a total of 10 responses from Approved Regulators (**AR**) and their regulatory arms, and BME lawyer groups (see **Annex A** for a full list of respondents).
2. On 12 February 2010, the LSB hosted two workshop sessions to discuss the draft Business plan 2010/11 and the draft Scheme. We received feedback from both sessions on the main issues raised concerning the draft Scheme. On 16 February 2010, a supplementary workshop was held to discuss the draft Scheme in more depth with diversity interest groups. A total of 52 groups (see **Annex B** for a full list of invitees) representing interests from the seven strands of diversity¹ were invited and they were given the option to submit verbal or written comments if they were unable to attend. Only three groups registered interest to attend: the Black Solicitors' Network, The Disability Law Services and The Group for Solicitors with Disabilities, although the last was unable to make the workshop on the day.
3. The feedback from the consultation process has been summarised in a draft response document which will be published on the LSB website with the final Scheme.

Main issues arising from the consultation process

4. Overall, the feedback from the consultation process gave support to the LSB's commitment towards equality and diversity in the draft Scheme. Respondents highlighted that the success of the Scheme will be measured by its implementation.
5. The main suggestions for amendments to the draft Equality Scheme are:
 - a. to consider all seven strands of diversity as defined under the Equality Bill;
 - b. to include a clear evidence base or a bench-mark from which to measure the success and progress;

¹ The seven strands of diversity are defined under the Equality Bill and include: race, gender, disability, age, religion or belief, sexual orientation and gender identity.

- c. to set out the process for consultation and engagement with diversity interest groups;
- d. to introduce a robust Equality Impact Assessment framework as a priority and train staff to deliver it;
- e. to include different formats for information on the LSB website, i.e. Browse Aloud, translation and large text facilities;
- f. to ensure the Action Plan includes targets or measures of success and details the individual responsible for leading on the action point plus a detailed timescale;
- g. to ensure the internal policies on the LSB's responsibility as an employer include training for staff on equality and diversity, a flexible working policy and ensure that the recruitment target – that we brief agencies to attract 20% of applicants from under-represented groups – does not lead to positive discrimination in appointments themselves.

6. Our suggested response is as follows:

a. Seven strands of diversity

We agree to this point in principle but highlight that the Equality Bill is yet to pass through Parliament and the essential guidance to accompany it on the shaping of the additional strands of diversity around age, religion and belief, sexual orientation and gender identity (legislative requirement already sets out a public duty on race, gender and disability) has not yet appeared. We suggest that we commit to include a single strand of diversity in the final Scheme when the Equality Bill has passed and the Scheme is reviewed.

b. Clear evidence base and bench-marking

The LSB is currently working through the quarterly Diversity Forum for Professional Regulators to develop an evidence base and a metrics framework to measure the success or effectiveness of existing diversity and equality initiatives by approved regulators. We are clear that greater transparency will be key in both measuring our own success and holding ARs to account.

c. Consultation and engagement with diversity groups

We will seek to work with the ARs to utilise their existing networks to help organise consultation and help various groups respond to the requests they receive. For example, this may involve engaging with The Law Society's BME Forum which consists of the Chairs of Minority Lawyers Groups and the Disability Advisory Panel which accesses various sections of the disabled community.

d. Equality Impact Assessments

We are committed to completing impact assessments through our policy making process. As a priority, we will develop our processes to improve their focus on equality issues and ensure that this is embedded in the staff development strategy which we are currently developing.

e. *Website*

We will make clear on the website that information in different formats is available on request. We are in the process of scoping re-development of our website and accessibility concerns will be included in this although, as there is no dedicated budget for this project this year, we may only be able to deliver incremental improvements.

f. *Action Plan*

We will ensure that the objectives and deliverables in the plan are as tightly specified as possible and that accountability for delivery is clear.

g. *The LSB as an employer*

Equality and diversity training has already been identified as a need and will be delivered as a priority and a flexible working policy is already in production. We will be take particular care that the 20% application target does not lead to positive discrimination.

Next Steps

7. Subject to the Board's comments, we will prepare a formal response document and publish a revised text of the final Scheme alongside the Business Plan in April 2010.

18.03.10

ANNEX A Full list of respondents to the draft Equality Scheme

1. The Bar Standards Board (BSB)
2. The Black Solicitors Network (BSN)
3. The British Nigeria Law Forum (BNLF)
4. The Council for Licensed Conveyancers (CLC)
5. The General Council of the Bar (BC)
6. The Institute of Legal Executives (ILEX)
7. The Institute of Trade Mark Attorneys (ITMA)
8. The Law Society (LS)
9. The Legal Services Commission (LSC)
10. The Solicitors Regulation Authority (SRA)

ANNEX B Invitee list to the supplementary workshop on the Draft Business Plan 2010/11 and Equality Scheme

This list includes lawyers and consumer interest groups covering the seven strands of diversity i.e. age, race, disability, gender, religion and faith, sexual orientation and gender identity. Other key government departments and groups were also invited.

Diversity Strand	Organisation	
Age	Age Concern	
	Help the Aged England	
	Help the Aged Wales	
	Junior Lawyers Division	
	National Children's & Equality Network	
BME	Association of Asian Women Lawyers	
	Association of Muslim Lawyers	
	Black Solicitors Network	
	Ethnic Minority Advisory Group	
	MENTER	
	Society of Asian Lawyers	
	Society of Black Lawyers	
Disability	AbilityNet	
	British Dyslexia Association	
	Disability Law Service	
	Foundation for People with Learning Difficulties	
	Independent Disability Council	
	Lawyers with Disabilities (Law Society)	
	MENCAP	
	MIND	
	RADAR	
	Royal National Institute for Deaf People	
	Royal National Institute for the Blind	
	Gender	Association of Women Solicitors
		Refuge
		The National Association of Women Lawyers
Women & Equality Unit		
Women in Business Network		
Women's Aid Network		
Other	Women's National Commission	
	Carers UK	
	Committed to Equality	
	Department for Business, Innovation & Skills	
	Employers Forum on Disability	
	Employment Lawyers Association	
	Equality & Human Rights Commission	
	Equality Challenge Unit	
	Legal Services Commission	

Diversity Strand	Organisation
	London Race Discrimination Unit
	National Assembly for Wales
Religion/Faith	Anglican Church in Wales
	Baptist Union of Great Britain
	Churches Together in Britain & Ireland (CTBI)
	Interfaith Network for the UK
	Methodist Church of Great Britain
	Muslim Council of Britain
	Network of Sikh Organisations in the UK
	Roman Catholic Church in England & Wales
	The Hindu Council UK
	World Congress Faiths
Sexual Orientation	InterLaw Diversity Forum
	Lesbian & Gay Foundation
	Lesbian and Gay Lawyers Association
	Stonewall
Gender Identity	The Gender Trust