

# BORDER AND IMMIGRATION AGENCY RACE, DISABILITY AND GENDER EQUALITY SCHEME



Home Office



Home Office

**Border &  
Immigration Agency**



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# Foreword



The Border and Immigration Agency, launched on 1 April 2007, has four strategic objectives:

- Strengthen our borders: use tougher checks abroad so that only those with permission can travel to the UK, and ensure that we know who leaves so that we can take action against those who break the rules.
- Fast-track asylum decisions: remove those whose claims fail and integrate those who need our protection.
- Ensure and enforce compliance with our immigration laws: remove the most harmful people first and deny the privileges of Britain to those here illegally.
- Boost Britain's economy: bring the right skills here from around the world, and ensure that this country is easy to visit legally.

Our reform programme will transform us into an organisation that delivers for the public, is professional and innovative, works openly and collaboratively and treats everyone with respect.

The new three-strand Equality Scheme builds on the existing Race and Disability Equality Schemes, which have been incorporated within this document, and also specifies how the Border and Immigration Agency will meet its duties over the next few years with regard to the promotion of gender equality with specific and measurable targets. Each target has a named owner to ensure that we are accountable for delivery.

While important, the publication of this scheme is not an end in itself – the Action Plan must be fully implemented and rigorously monitored if it is to truly be a success. To this end, the Agency's Board will be keeping a close eye on implementation.

For the future, the Agency will be an exemplar in the equalities. We are working towards a single equality scheme which encompasses all of the diversity strands, including age, sexual orientation and religion or belief, and we will publish this revised document in due course.

A handwritten signature in black ink that reads "Lin Homer". The signature is written in a cursive, flowing style.

Lin Homer  
Chief Executive

# Executive summary

*This summary does not form part of this scheme.*

The three-strand Equality Scheme sets out how the Border and Immigration Agency intends to meet its equality and diversity obligations in the areas of race, disability and gender (including gender identity). Under the existing equality legislation public authorities now have proactive duties – it is no longer sufficient to refrain from discriminating.

The scheme is subject to the Home Office group overarching scheme, and it covers the Border and Immigration Agency's relations with its staff, as well as with its customers. It replaces the Race Equality Scheme and the Disability Equality Scheme, and adds information about the Gender Equality Duty.

This document is quite lengthy but is worth the effort to read through as a whole. For some members of staff it may be difficult to find the time for this, but they are still advised to make themselves familiar with relevant parts of it. They should especially read those parts concerning their own areas of work within the three Action Plans, and also the section concerned with policies and functions and their relevance to race, disability and gender equality.

All public authorities must have schemes in place to show how they intend to meet their duties. They can have a separate scheme for each strand, or one combined scheme. The Home Office has decided to have a single scheme because this will make it easier to identify areas of multiple disadvantage and facilitate reviews of the scheme as a whole.

The introduction outlines the purpose of the scheme and briefly sketches the legal requirements. The legislation specifies that relevant stakeholders must be consulted, and, in the case of disability, involved in drawing up the scheme, and the next two sections outline how the Agency went about this.

The following section discusses the ways in which evidence is gathered. This will have to be done to enable the Agency to ascertain whether it is meeting its obligations, and also so that its performance can be assessed. Equality impact assessments will need to be drawn up whenever new policies and functions, and changes to existing ones, are proposed.

The Border and Immigration Agency will also consider gathering and making use of statistical information whenever this is appropriate. In line with its commitment to transparency, it will publish its results whenever possible – the section discusses the circumstances in which this will and will not be done.

The next section sets out the key challenges for the Border and Immigration Agency, which have been arranged according to the following headings: Internal and staffing; The Border and Immigration Agency's processes; Evidence gathering and monitoring; Contact with customers; and Specialised facilities.

Some of the challenges are general, and relate to all areas of the Agency's activity, for example 'The Border and Immigration Agency must treat its customers with due respect' (which it ought to be doing in any case), but others are more specific.

There then follows a section concerned with the Race Equality Duty. The Border and Immigration Agency has various exemptions because by the very nature of its duties it cannot provide equality of opportunity to everyone (for example, it cannot give everyone in the world the same opportunity to travel to, or to stay or work in, the UK that is accorded to EEA nationals).

This section explains this, plus the contentious subject of ministerial authorisations, whereby limited exemptions from the Race Relations Act can be obtained by the Agency in particular circumstances (which must be justified).

There then follows a review, in which the main policies and functions with relevance to race, disability and gender equality have been identified and an assessment made, with objectives and targets set out. This was initially drawn up by the individual directorates, but many of the policies and functions that have been specified will now be the responsibility of the regions.

There are then relatively short sections on publication and publicity arrangements and on the complaints procedure, before the three Action Plans, one for each of the strands.

The Action Plans are really the nub of the scheme, because they specify what the Border and Immigration Agency needs to achieve within the lifetime of the scheme, and set out key performance indicators and specific outcomes.

The scheme will need to be reported on every year, and a revised version produced every three years. This is a living document, and so changes can be made in the meantime. Your comments and suggestions will always be welcome.

# Introduction

1. The management of our borders is fundamental to the interests of the UK. Our immigration system must allow us to manage properly who comes here and ensure that people leave when they are no longer entitled to be here.
2. We also want to welcome holidaymakers and other visitors, investors, business people and students who come here, adding to our economy and enriching our society.
3. We also intend to meet our international obligations to refugees who need our protection. We will welcome genuine refugees and promote their integration within the community.
4. Above all, we need a system that protects the security of this country, prevents abuse of our laws, is fair to lawful migrants and the British public, and in which people have confidence.
5. Increasing globalisation, changing patterns of travel and migration, and international crime and terrorism all pose challenges for our country, as they do for all advanced, industrialised countries.
6. Within this context, the work of the Border and Immigration Agency is founded on four objectives:
  - Strengthen our borders: use tougher checks abroad so that only those with permission can travel to the UK, and ensure that we know who leaves so that we can take action against those who break the rules.
  - Fast track asylum decisions: remove those whose claims fail and integrate those who need our protection.
  - Ensure and enforce compliance with our immigration laws: remove the most harmful people first and deny the privileges of Britain to those here illegally.

- Boost Britain’s economy: bring the right skills here from around the world, and ensure that this country is easy to visit legally.
7. The Border and Immigration Agency three-strand Equality Scheme sets out how the Border and Immigration Agency intends to carry out the general statutory duties to promote race, disability and gender equality.
  8. The Home Office is committed to a policy of equal opportunity for all staff. We will not discriminate on grounds of gender, gender identity, ethnic origin, age, disability, sexual orientation, faith and belief, marital or civil partnership status or any other factor irrelevant to a person’s work. Assessment for recruitment, selection, appraisal, training and career progression purposes is based entirely on the individual’s ability and suitability for the work. We are committed to providing staff of all ages and backgrounds with opportunities to maximise their skills and achieve their potential, offering flexible working arrangements wherever possible. We encourage a diverse workforce and aim to provide a working environment where all staff at all levels are valued and respected, and where discrimination, bullying and harassment are not tolerated. We expect all our staff to play their part in supporting this aim.
  9. The Border and Immigration Agency adheres to the Home Office values, which were developed in consultation with its staff and stakeholders and which underpin how we will achieve our objectives and guide our everyday behaviour. These are:
    - we deliver for the public;
    - we are professional and innovative;
    - we work openly and collaboratively; and
    - we treat everyone with respect.
  10. This is a summary of what the Border and Immigration Agency will seek to achieve through the scheme. Specific outcomes to the key objectives in each region are set down in the Border and Immigration Agency’s Action Plans for all three strands. The Border and Immigration Agency is working towards a regionally delivered service. From 1 April, the

functions of the Managed Migration, Asylum and Enforcement and Removals Directorates have been unified, and are the responsibility of senior Border and Immigration Agency Directors in each region. Policy will not be regionalised.

11. The Border and Immigration Agency is committed to meeting its obligations under the:
  - Race Relations Act 1976, as amended;
  - Disability Discrimination Act 1995, as amended; and
  - Sex Discrimination Act 1975, as amended.
12. The obligations laid down under each Act are not identical. Under the Race Relations Act the Border and Immigration Agency has a duty to have regard to the need to eliminate unlawful discrimination and promote good relations between persons of different racial groups, but it has obtained two important exemptions from the Act. It is exempt from the duty to promote equality of opportunity in performing immigration and nationality functions within the meaning of the Act. It is also exempt from the duty not to discriminate on grounds of nationality or ethnic or national origins when authorised by statute or a ministerial authorisation, but is subject to the rest of the duty. The exemption from the duty to promote equality of opportunity is because that duty is considered incompatible with the exercise of immigration controls in respect of people whose opportunities could be improved by coming to or living in the UK.
13. In relation to its obligation under the Disability Discrimination Act, the Border and Immigration Agency has due regard to the need to:
  - eliminate unlawful discrimination;
  - eliminate harassment of disabled persons;
  - promote equality of opportunity between disabled persons and other persons;
  - take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons;
  - promote positive attitudes towards disabled persons; and
  - encourage participation by disabled persons in public life.

14. In relation to its obligation under the Sex Discrimination Act 1975, as amended, the Border and Immigration Agency will meet its requirements under Section 76A of the Act, by which a public authority shall have due regard to the need to eliminate unlawful discrimination and harassment and to promote equality of opportunity between men and women when carrying out its functions.
15. Unlawful discrimination can be:
  - on the grounds of sex. This can be discrimination against women or against men;
  - on the grounds of gender reassignment;
  - against married persons or civil partners (though not against single persons);
  - on the grounds of pregnancy or paternity leave;
  - by way of victimisation; or
  - harassment, including sexual harassment.
16. The Action Plans identify key action areas and specific outcomes.
17. The Border and Immigration Agency is committed to the effective performance of all of its duties, and the required outcome of the scheme is that it will conform with all of them. The scheme will be reviewed annually so that its effectiveness can be monitored and, if it transpires that any of the duties are not being met, corrective action can be taken. The Border and Immigration Agency is committed to delivering an efficient, professional and legally compliant service.
18. In many cases, the links between specific aspects of the Government's immigration policy on the one hand and community relations on the other are unlikely to be direct or causal. International developments, media reporting of equality and immigration issues, social and economic conditions within communities and particular events all exert powerful influences on public attitudes and behaviour. However, the Government clearly has a key role to play in leading a constructive, informed public debate on these issues: this includes explaining the positive benefits of migration within the context of a globalised world economy.

19. In all cases where it falls to Border and Immigration Agency officials to provide advice to Ministers or the Border and Immigration Agency Board concerning significant proposed or possible changes to policy or procedure which may affect the Border and Immigration Agency's discharge of the general duties, it will be mandatory to include a specific section in the submission or paper on the proposal's potential impact on the promotion of race, disability and gender equality and the need to avoid unlawful discrimination.
20. The relevant equality commissions have issued guidance on gathering and analysing evidence to inform policy, which includes guidance on carrying out impact assessments. The guidance says that relevant parties should be consulted or, in the case of disabled people, involved in gathering evidence. In practice, the Border and Immigration Agency may sometimes need to introduce changes in immigration law with immediate effect, in order to avoid a last-minute rush of applicants eager to take advantage of any loophole that might be about to close, and this may limit the degree of involvement the Border and Immigration Agency is able to achieve. There may also be circumstances in which consultation is impractical for security reasons. The Border and Immigration Agency will, however, in all cases gather and analyse such evidence as is available to it in order to assess the impact the proposed policies are likely to have, and how it can eliminate or mitigate any adverse impact.

# Internal approach to consultation and involvement

21. The Border and Immigration Agency takes its commitment to consulting and involving its staff seriously.
22. When drafting the race, disability and gender aspects of the scheme, the relevant staff networks were consulted. The Network (for staff interested in race equality within the Home Office) was consulted for race aspects, as were the Home Office Disability Support Network for the disability aspects and Home Office Women and a:gender (for transsexual members of staff) for the gender and gender identity aspects, and these latter networks were involved in the working groups that were set up to oversee it.
23. In addition, when the Disability Equality Scheme was drawn up, two user forums (described more fully in paragraphs 30–32 below) were held to consider both internal and external aspects of the scheme. Disabled members of staff were invited to these events, through the Home Office Disability Support Network and through internal channels of communication, and made an effective contribution.
24. Subsequently, when the Gender Equality Scheme was drafted a series of focus groups were conducted, at which members of staff considered various HR aspects and then looked at the different issues, including why data is collected, why men and women outperform each other at various levels, part-time and flexible working patterns, maternity and paternity policies, and training.
25. A questionnaire was forwarded to internal stakeholders in all Border and Immigration Agency Directorates, principally through the network of Equality and Diversity Advisers, and to the trade unions. The replies were considered and have been taken into account in compiling the scheme.

# External approach to consultation and involvement

26. The Border and Immigration Agency has a large existing and developing regional structure, operating at over 40 locations throughout the UK, including seaports, airports and other offices and establishments. Every year, the Agency has contact with a vast number of individuals as arriving passengers, applicants, sponsors, appellants and immigration offenders. For many, their interaction with the Border and Immigration Agency is a short and simple experience. For others, their contact with the Agency is likely to be more prolonged and less straightforward. The Government believes that the immigration system should treat everyone fairly without unlawful discrimination. All immigration, asylum and nationality cases are considered on their individual merits in accordance with the law and published policy.
27. The three Acts (the Race Relations Act 1976, Disability Discrimination Act 1995 and Sex Discrimination Act 1975) all specify that when a public authority draws up an Equality Scheme there must be consultation with or involvement of relevant parties. The Border and Immigration Agency fully recognises that consulting and involving a wide and diverse range of people is essential for producing a robust and comprehensive scheme. It has sought to consult and involve those who have no specialist knowledge of its work but could look at it from the outside and provide the perspective of a service user.
28. As regards the Disability Equality Duty, the Disability Discrimination Act requires that disabled people must be involved in drawing up the scheme; they must be people who appear to the authority (i.e. the Border and Immigration Agency) 'to have an interest in the way it carries out its functions'.

29. The Home Office Disability Support Network, which is an independent support network for Home Office staff with disabilities, was involved in the planning process from the start. But it was also necessary to involve representatives of other organisations, so that the Border and Immigration Agency's policies and functions could be scrutinised from the outside.
30. Delegates from a number of organisations representing disabled people (as well as members of the Border and Immigration Agency's staff) were invited to two user forums. During the first of these, delegates were invited to consider the Border and Immigration Agency's policies and practices and to provide feedback on the various aspects of the organisation in a series of structured discussion sessions conducted by Border and Immigration Agency officials. The input provided on that occasion was used to inform the drafting of the Border and Immigration Agency's Associate Scheme.
31. A second user forum took place two months later to consider the plans that had by then been prepared. A wide range of organisations representing disabled people were invited to send delegates to this forum also, and they again provided feedback which was used to modify the Associate Scheme.
32. Unfortunately, a large number of the organisations contacted were unable to send a delegate to either user forum, and so visits were made to them by Border and Immigration Agency officials wherever possible to obtain feedback on a one-to-one basis.
33. The duties in relation to race and gender are less stringent, consisting of an obligation to consult rather than to involve, but nonetheless the Border and Immigration Agency has taken its duties seriously and has taken care to consult relevant stakeholders with regard to both race and gender while drafting the scheme and to ensure their views are taken into account. The gender equality questionnaire referred to in paragraph 25 was also sent to external stakeholders, and some comprehensive replies were received.

34. In the future, the Border and Immigration Agency will maintain and extend its contact with stakeholders and will ensure that full account is taken of their views when monitoring and revising the scheme.
35. The Border and Immigration Agency's field of work remains among the most sensitive and high profile in government. Its prime function is to advise Ministers in the formulation of immigration, asylum and nationality policies; to implement approved policies; and to administer legislation passed by Parliament in these fields by delivering front-line services to passengers and applicants.
36. Within government, the Border and Immigration Agency is responsible for bringing forward immigration and nationality policies that reflect Ministers' assessment of where the public interest lies, having regard to the UK's social and economic interests and to the broadest possible span of public opinion. This includes reconciling the rights and needs of individuals and of new communities with those of the country as a whole.
37. The Border and Immigration Agency will consult outside government as appropriate in each case when assessing the potential impact of significant change to policy and procedure.
38. Consultation may take different forms, depending on the scale of the issues concerned. At the highest level, Ministers may decide to carry out a full public consultation exercise in respect of proposals for major policy or legislative change, applying the principles contained in the Cabinet Office guidance on public consultations. On other issues, Ministers and officials might decide to adopt a more targeted approach on consultation, approaching representative, academic or professional bodies for an expert view where the matter at issue is more technical.
39. In determining which external groups to engage on policy issues, the Border and Immigration Agency will act in accordance with the need to engage the legal practitioner community, but also to reach beyond well-established contacts to bodies and groups representing local communities and faith communities.

40. In practice, it will not always be possible or appropriate for the Border and Immigration Agency to consult outside government because of the need to preserve the effective administration of immigration control and to respond rapidly to developing operational, situations as they arise. However, an impact analysis will in any case be done. Owing to the pressurised and fast-moving nature of the Agency's work, there is inevitably a fine balance to be struck between consultation, flexibility and the needs of the business. The decision to consult will be dictated by the scale and nature of the impact of the proposed policy change against the need of the business and by the value likely to accrue from obtaining the views of others. Where the Border and Immigration Agency does undertake consultations outside government, it will ensure that the exercise is:
- meaningful, in that it genuinely feeds into the decision-making process and is timed to allow this to happen;
  - representative in that it is genuinely based on a proper cross-section of views and that these views genuinely represent the community groups likely to be affected; and
  - effective in that it genuinely makes an impact on the policy development process.
41. Examples of circumstances in which the Border and Immigration Agency will not normally consult because to do so might have significant adverse operational consequences or prejudice the public interest or the rights of individuals include:
- new visa regimes, prior to being announced to Parliament;
  - specific enforcement or other Immigration Service operations aimed at tackling illegal immigration or breach of the immigration laws; and
  - other areas where to do so might prejudice the administration of immigration control or the rights of an individual (e.g. to privacy).

# Gathering evidence

42. The Border and Immigration Agency will perform an Equality Impact Assessment of policies and practices. All functions and policies must be listed for relevance – high, medium or low. Initial assessment will be by screening, followed by a full Equality Impact Assessment if the screening indicates that one is needed.
43. Current policies and practices will also be screened for their relevance to race, disability and gender equality, and assessed if it is concluded that they are relevant.
44. Where the Border and Immigration Agency requires further information about the potential impact of a proposed new policy or procedure on community relations, the Agency will, as far as possible, seek to make use of existing contacts with representative bodies, local authorities, national and local law enforcement agencies and community organisations for an informed view.
45. Where appropriate, the Border and Immigration Agency will consider gathering statistical information on the effects of its policies and practices. It should, however, be borne in mind that the collection of usable data is not straightforward and, in the case of disability, there are particular difficulties raised by differing cultural understandings of the concept of disability. Since the cost of obtaining such data is likely to be high, the Border and Immigration Agency will also need to consider the resource implications with reference to how the information can be used to help substantial numbers of people in genuinely practical ways.
46. The Border and Immigration Agency has not hitherto collected information about the race or colour of passengers and applicants as a matter of routine. The annual Command Paper *Control of Immigration: Statistics United Kingdom*

contains fairly detailed case outcome information, broken down by nationality or geographical region of origin where those data are available. The Border and Immigration Agency will consider specific proposals for new projects involving ethnic monitoring. In particular, research studies are being undertaken into the feasibility of collecting data on the ethnicity and other circumstances of arriving passengers who are delayed for further questioning, and also into port refusal rates for different nationalities.

47. In all cases where it falls to Border and Immigration Agency officials to provide advice to Ministers or the Border and Immigration Agency Board concerning significant proposed or possible changes to policy or procedure which may affect the Border and Immigration Agency's discharge of the general duty, it is mandatory to include a specific section in the submission or paper on the proposal's potential impact on good relations between persons of different racial backgrounds, and the need to eliminate unlawful racial discrimination. In particular, officials must consider the following questions:
- Is change likely to have a practical impact on particular nationalities or racial groups, or on disabled people or transsexual people or is it likely to affect men and women differently, and, if so, which groups and to what degree?
  - What effect, if any, might the proposal have on relations between different settled UK communities or between disabled people and others?
  - What effect, if any, might the proposal have on relations between settled UK communities and recent migrants to the UK?
  - What possible alternative options have been considered to avoid the impact?
  - If the change has to be made and is likely to have a negative impact, how can the impact on the groups affected be mitigated?
  - If there is likely to be an impact on particular groups, such as to amount to discrimination under the Race Relations Act, would a ministerial authorisation under the Race Relations Act be required?

- How might the changes be made in a way that does not stigmatise particular groups or otherwise harm race relations or disadvantage disabled people or transsexual people or either men or women?
48. Where it is judged that further evidence is required before a policy with potentially far-reaching ramifications can be developed further, the Border and Immigration Agency will consider commissioning research to examine existing available data or to collect additional data, if possible, as part of existing research programmes. This approach will only be considered if the necessary evidence cannot be obtained by other proportionate means.
  49. All major enforcement operations must be assessed for potential community relations impact in advance. Race equality, disability and gender issues, including issues specifically or additionally relevant to gender identity, are taken into account in the operation of arrangements to support and accommodate destitute asylum seekers in their initial accommodation or in the community, and in managing immigration detention centres.
  50. Wherever possible, assessments of functions and policies, impact assessments and the results of consultations and monitoring will be published on the Border and Immigration Agency's website ([www.bia.homeoffice.gov.uk](http://www.bia.homeoffice.gov.uk)). But there may be occasions when publication might adversely affect the integrity of immigration control, the UK's international relations or national security. On those occasions, information will not be published.
  51. A significant portion of the Border and Immigration Agency's services are contracted out. Where this happens, the contractors are bound by the same terms as the Government. The Border and Immigration Agency is responsible for ensuring that the general and specific duties are met when it delivers its functions.
  52. The Border and Immigration Agency is committed to ensuring that the material it publishes, and the services it provides, are accessible to all members of different communities. The quickest and easiest way to find out about these matters is to visit the Border and Immigration

Agency website. Where there is substantial need for it, the Border and Immigration Agency seeks to produce information translated into foreign languages. In respect of verbal communication, where Border and Immigration Agency customers cannot understand English, an interpreter is called in from the Border and Immigration Agency Interpreters Unit.

53. Ensuring that the scheme works in practice will require a full commitment from all the Border and Immigration Agency's staff, from senior management down, to implement it in their day-to-day activities. The message is being disseminated through the channels of communication so that all staff become aware of their personal obligations to abide by the legislation, and awareness of race, disability and gender equality is incorporated into staff training as appropriate.
54. The responsibility for ensuring that each individual directorate within the Border and Immigration Agency complies with its duties under the Race Relations Act, Disability Discrimination Act and Sex Discrimination Act belongs to the senior director accountable for the relevant directorate. The Enforcement and Compliance Policy Development Unit is responsible for co-ordinating the Border and Immigration Agency's three-strand Equality Scheme, and the internal aspects of the scheme will be the responsibility of Christine Barclay, Director of HR Operations.
55. The Border and Immigration Agency's Equality Scheme will be reviewed in the light of the EC Equal Treatment Directive 2004/113, and thereafter annually in April, and a revised version will be produced every three years. An internal working group consisting of representatives from the Border and Immigration Agency's various business areas has been set up and will meet quarterly to assess the Border and Immigration Agency's performance.

# Key challenges

56. The key challenges in the areas of race, disability and gender equality currently facing the Border and Immigration Agency can be grouped under the following headings:

## Internal and staffing

- It is the Border and Immigration Agency's policy that all staff receive appropriate diversity training; this ranges from initial induction through to specialist courses for staff and managers.
- Home Office race, disability and gender employment targets for representation, progression and retention are met in the Border and Immigration Agency, and the Agency's employment practices promote race, disability and gender equality and equality of opportunity, avoiding all unlawful discrimination.
- Confidentiality is maintained concerning information about diversity issues in individual cases, which has been obtained in the course of official duties.
- Border and Immigration Agency staff must be aware of Section 22 of the Gender Recognition Act 2004, which makes it an offence (except in certain specific circumstances) to disclose information that has been acquired in an official capacity about a person's change of gender. Home Office policy has gone beyond the requirements of the law, and Border and Immigration Agency staff must be aware of Home Office Notice 032/2006, which explains the policy in this area.

## The Border and Immigration Agency's processes

- Asylum, immigration and nationality decisions and operations avoid all unlawful discrimination. Ministerial authorisations under the Race Relations Act, Section 19D are properly justified, evidence based, legally robust, and kept in force for only so long as necessary.
- Equality impact assessments are performed to assess the implications on race, disability and gender equality of new policies and functions or changes in existing policies and functions whenever this is needed.
- Non-visible disabilities, where known, are taken into account when providing services and conducting interviews, and the Border and Immigration Agency directorates are aware of support groups and maintain lists of relevant organisations.
- Contractors operating functions on behalf of the Border and Immigration Agency are monitored to ensure that they and their staff avoid unlawful discrimination and harassment on grounds of race, disability and gender, including gender identity, and actively promote equality and diversity.
- Dispersal of asylum seekers takes account of the needs of individuals receiving support, to ensure that they are dispersed to areas where appropriate support is available, and that accommodation is adapted for specific requirements, taking into account the temporary nature of the accommodation and the duties owed by other bodies, such as local authorities. Dispersal takes into account issues of local race relations.
- A detention policy is put in place which specifically relates to gender identity (this is particularly relevant with regard to issues of single-sex accommodation, access to medication, privacy for dilation by transsexual women, and hostile attitudes towards detainees perceived to be transsexual by other detainees).

## Evidence gathering and monitoring

- Monitoring arrangements for various areas of the Border and Immigration Agency's performance are introduced, where it is sensible and reasonably practical to do so, and the outcome of such monitoring is fed back to inform future policy and operations.
- Statistical evidence is maintained, and this is regularly analysed to identify areas where there may be disadvantage on the grounds of race, disability or gender.

## Contact with customers

- Refugees are empowered to achieve their full potential as members of British society, to contribute fully to the community and to become fully able to exercise their rights and responsibilities, which they share with other residents.
- Applicants for asylum, entry clearance and entry under routes of managed migration are given the opportunity to indicate any needs they may have and are made aware of the assistance that is available to them. They are made aware of race, disability and gender issues, including issues specifically or additionally relevant to gender identity, and are reassured that any information disclosed relating to those grounds will not lead to a negative response.
- Written communication (including forms and letters) can be made available in formats that can be accessed by all who need them, such as the visually impaired, people with learning difficulties and those for whom English is a second language.
- The Border and Immigration Agency must treat its customers with due respect.

## Specialised facilities

- Specialised equipment to assist disabled customers must be accessible as appropriate and staff must be aware of where it can be obtained, if needed. Every port must have a contingency plan, to include details of where specialised equipment is located.

# Race Relations (Amendment) Act 2000: Immigration and nationality provisions and ministerial authorisations

57. The Race Relations (Amendment) Act 2000 amended the Race Relations Act so as to:
- (a) outlaw race discrimination in public functions not previously covered by the Race Relations Act;
  - (b) place a general duty on specified public authorities to promote race equality; and
  - (c) give the Home Secretary powers to impose specific duties on public authorities subject to the general duty and to add to the list of bodies to which the general duty applies.
58. The Border and Immigration Agency is exempt from the duty to promote equality of opportunity under Section 71 of the Race Relations Act because the application of immigration and nationality legislation necessarily involves denying opportunities to some groups on the basis of their nationality, which are offered to others. The Border and Immigration Agency is subject to the remainder of the general duty to have due regard to the need to eliminate unlawful discrimination and to promote good relations between different racial groups.

59. Section 19 of the Race Relations Act (as amended) provides a specific exemption in respect of immigration functions. The requirement for an effective immigration control in some circumstances necessarily involves treating some groups differently from others, a feature not particular to the UK. Discrimination on the basis of nationality or ethnic or national origin in the exercise of immigration functions is not unlawful under the Act if required by specified immigration legislation or expressly authorised by Ministers. A ministerial authorisation permitting differential treatment reflects the need to target limited resources towards dealing with certain types of immigration abuse or disrupting the activities of people traffickers. The Section 19D exemption does not apply to acts carried out by the Agency in respect of the investigation or prosecution of criminal offences. Discrimination on the grounds of race or colour is not permitted by the Act except where justified on national security grounds.
60. Section 19E of the Act provides for the appointment of an independent Race Monitor to report to Parliament via the Home Secretary on the likely effect of any ministerial authorisations made under Section 19D and on how such authorisations are acted upon in practice by immigration staff.
61. The Border and Immigration Agency intends to carry out the general duty to eliminate unlawful discrimination and to promote good relations between different racial groups as laid down in Section 71 of the Act.
62. Delivering race equality is one of the main challenges for the Border and Immigration Agency. It is also a prerequisite to successful delivery of our aims. Race equality runs through all of our aims and is central to the way we deliver them. The Race Relations Act places a responsibility on every public servant for ensuring race equality in the delivery of public services. The Border and Immigration Agency has to be a beacon of good practice and an exemplar to the public service and the UK as a whole. That is one reason why the scheme is so important.

63. Race equality is a particularly crucial issue in the Border and Immigration Agency area. In many respects the formulation, presentation and implementation of immigration policy has the potential to influence the climate of race relations in the UK. This includes the way in which visitors and migrants of all categories are treated in practice; public opinions and perceptions about the fairness and effectiveness of the system of immigration control (including its contribution to public security); the way in which migrants impact on the pattern of experience of existing communities; and their integration into the social and economic fabric of the country. It also includes Home Office monitoring and control of contractors, for example those operating detention services, to ensure that they and their staff avoid unlawful discrimination and racial harassment and actively promote race equality.
64. The Race Relations Act also makes special provision for complaints of unlawful racial discrimination which concern decisions made by the Border and Immigration Agency and UKvisas on the entitlement of a person subject to immigration control to enter or remain in the UK. It is open to those applicants who believe they have been subject to unlawful discrimination to appeal on this basis to the Asylum and Immigration Tribunal as part of the ‘one-stop’ immigration and asylum appeal process. Persons complaining about unlawful discrimination by the Border and Immigration Agency otherwise than in relation to their entitlement to enter or remain in the UK may apply for damages in the civil courts in the usual way.

# Border and Immigration Agency policies and functions and their relevance to race, disability and gender equality

65. The following section sets out policies and functions, describing the key challenges and assessing their relevance to race, disability and gender equality on a scale of high/medium/low. Prior to April these were the responsibility of individual directorates but, with the regionalisation of the Border and Immigration Agency, the regions will have responsibility for many of these policies and functions.

## Policy

### Policies and functions of particular relevance

66. Border and Immigration Agency Policy Units provide support to both Ministers and Border and Immigration Agency staff in the development, implementation and communication of immigration and asylum policy.

### Objectives and targets

- (a) The Points-Based System (high relevance)
  - Ensure, and monitor, that no one is prevented solely by reason of race, disability or gender from obtaining the requisite number of points.
- (b) Impact assessments (high relevance)
  - Ensure that all proposed policies and functions, and changes in existing policies, are screened for relevance to race, disability and gender equality, and a full equality

impact assessment is performed if needed. A timetable will be devised to screen existing policies.

- (c) To protect those fleeing from persecution in accordance with our obligations under the United Nations 1951 Refugee Convention and its Protocol, while returning those whose claims fail to their own countries (medium relevance).
  - Ensure that asylum seekers, including those affected by mental disorders, are not disadvantaged in the consideration and processing of their claims by reason of factors related to race, disability or gender.

## Asylum

### Policies and functions of particular relevance

67. Through asylum case management, to manage the processes for all new asylum claimants.

To enable destitute asylum seekers to be supported while their claims are under consideration.

### Objectives and targets

- (a) To ensure that asylum seekers with a disability, or special or gender-specific care needs (for example pregnant women or domestic violence survivors) have the opportunity to disclose, and have due consideration of, these needs; and, where necessary, are provided with appropriate support (high relevance).
  - In the process of considering and allocating accommodation, due regard is paid to any need specified at point of claim – in person or within the asylum support application. For example, where a disability affecting mobility is identified, ground-floor accommodation would be provided, or in considering gender-specific needs, providing single-sex accommodation.
- (b) To ensure that dispersal (the allocation of accommodation around the country after initial reception to asylum seekers) is to suitable locations and, for example, to areas where there are support networks or community organisations which can provide assistance to those who require it, or where appropriate treatment can be accessed, if needed (high relevance).

- Asylum seekers who may be at risk in specific locations are not sent to those locations, for example domestic violence survivors.
- Medical advice is taken into consideration for asylum seekers who require treatment and medical support. These applicants will be dispersed to locations where such support is available, and provided with accommodation that is equipped with the necessary facilities to keep medicines at the right temperature.
- Asylum Support Policy Bulletin 85, *Dispersing Asylum Seekers with Health Care Needs*, is a publicly available document which can be found on the website [www.medfash.org.uk/publications/documents/NASS\\_policy\\_bulletin\\_85.pdf](http://www.medfash.org.uk/publications/documents/NASS_policy_bulletin_85.pdf). The following two paragraphs from the bulletin specify the policy towards asylum seekers with HIV/AIDS:

‘Newly arrived asylum seekers with HIV/AIDS who are not currently receiving ongoing treatment in the UK should be dispersed from initial accommodation at the earliest opportunity to enable them to start treatment on dispersal to a suitable area. In other cases dispersal should only take place following expert clinical advice from the treating clinician.

‘Dispersal should normally only take place if the asylum seeker is medically stable and does not have any other active complication, or when asylum seekers and clinicians have had time to adequately prepare for dispersal and have confirmed arrangements with either the asylum support caseworker or the asylum support medical adviser.’

- (c) To ensure that asylum seekers are not prevented by reason of race, disability or gender from presenting their case to its best advantage (high relevance).
- In considering asylum applications, the case owner is responsible for managing all aspects of the asylum claim through to its conclusion, and will need to be aware of how disability, including hidden disability, and gender factors, such as the effect of sexual trauma, can affect applicants in presenting their case. Case owners will have

access to appropriate training, and applicants will have to be made aware that they are able to ask for assistance; that disclosure of disability will not be a negative factor in considering applications; that family members, including domestic violence survivors, are able to make separate applications and have separate interviews; and that they can request a case owner and interpreter of the same sex as themselves. The need for services to be in place to provide appropriate assistance in individual cases should be considered.

- Objective approaches should be piloted and monitored which enable the relevant evidence to be correctly identified and taken into account before an asylum decision is made, to avoid allowing subjective values and assumptions to influence the outcome.

## Border control

### Policies and functions of particular relevance

68. The Border Control Directorate has taken an active role in highlighting the objectives and targets for disability in its business area, as well as providing comprehensive information about the issues arising in specific ports.

The Directorate has identified three key challenges specific to its business area:

- how best to ensure that the functions delivered are of consistent quality throughout all ports regardless of size and geographic location;
- how to monitor the quality of the functions delivered in order to ensure that issues are raised and improvements made where appropriate; and
- how to involve disabled people in taking this forward.

Many of the functions and services required by disabled people travelling through ports are already provided by airport authorities and airlines. The Border and Immigration Agency does, however, have an obligation to ensure that any member of the public who may require additional immigration checks such as further questioning/interview, or is detained, is offered all necessary additional assistance.

## Objectives and targets

- (a) To ensure that a contingency plan is written by the business manager for each port within the command to ensure that all facilities will be offered as required, regardless of location. As a further measure, all staff will be made aware of their obligations and what plans are in place at their location (high relevance).
- In the area of border control, it is paramount that customers are treated with respect, and Border and Immigration Agency staff will be expected to ensure that they are.

## Enforcement and removals

### Policies and functions of particular relevance

69. The enforcement of immigration law, delivering UK immigration control needs, including responsibility for the return of failed asylum seekers and the provision of the operational enforcement capability for the Border and Immigration Agency.

The Enforcement and Removals Directorate (E&R) has identified the objectives and targets for disability in its business area:

- The three key challenges specific to the business area are:
  - how best to ensure that all functions are consistently disability friendly;
  - how to monitor the quality of the functions delivered in order to ensure that issues are raised and improvements made where appropriate; and
  - how to involve disabled people in taking this forward.
- The main task of E&R is the removal of people who have no legal right to stay in the UK. It is considering how best to ensure that the special problems of disabled people who may be subject to this process are addressed, possibly by the use of a questionnaire-based system.
- One of the main targets is for appropriate staff to be trained in carrying out equality impact assessments. This will ensure that any new policies and procedures comply with equality legislation.

- Operations should consider disability and gender issues and draw up a risk assessment whenever these might be a factor.

## Detention services

### Policies and functions of particular relevance

70. The detention of immigration offenders, those who are scheduled to be removed from the UK and certain categories of asylum seeker.

### Objectives and targets

- (a) To ensure that appropriate decisions are made concerning which site detainees are sent to (high relevance).
- There is currently a site criterion. When a person comes into custody an assessment is undertaken, and a person with particular needs will be sent to a location where there are appropriate facilities.
- (b) To ensure that appropriate support and facilities are available for detainees with particular needs (high relevance).
- All detainees are seen by health professionals within 24 hours of arrival when medical needs are considered.
- (c) To ensure that disability and gender issues, including issues specifically or additionally relevant to gender identity, are taken into account during movement of detainees between sites and during removals (high relevance).
- A medical escort will accompany a detainee if there is a medical issue with removal.
  - At least one member of an escort must be of the same sex as the detainee.

## Managed migration

### Policies and functions of particular relevance

71. The implementation of non-asylum immigration streams, by managing routes into the UK labour market and considering applications from people who want to extend their stay in the UK, study or settle.

Consideration of applications for British nationality.

## Objectives and targets

- (a) To ensure that applicants are not disadvantaged by reason of disability or gender when making paper-based or electronic applications (high relevance).
- The efficacy of written and electronic methods of communication needs to be considered, and how appropriate assistance can be given to those who are unable to present their case to its best advantage by reason of impairment or factors related to gender, for example pregnancy, nursing a baby or care of children.
- (b) To ensure that applicants are not disadvantaged by reason of disability or factors related to gender when dealing face to face with Customer Contact Centres or Public Enquiry Offices (PEOs), including cultural approaches to gender (so that, for example, applicants from some cultures are only spoken to by someone of a particular gender) (high relevance).
- Customer Contact Centres and PEOs to be constructed to specified standards. The PEO currently under construction in Sheffield takes disability and access fully into consideration and could serve as a good practice model.
- (c) To ensure that applicants for British nationality are not disadvantaged by reason of disability when taking tests of knowledge of life in the UK or of English for speakers of other languages (high relevance).
- The tests of knowledge of life in the UK are computer-based tests at various centres throughout the UK. The English for speakers of other languages test is usually taken at a local college. Special provisions are in place for disabled people taking the tests. ‘Talking software’ is made available as required.

## Resource management

### Policies and functions of particular relevance

72. Dealing with consultants and contractors.

Maintaining the security of Border and Immigration Agency premises.

## Objectives and targets

- (a) To ensure that consultants and contractors comply with the requirements of the Race Relations Act, Disability Discrimination Act and Sex Discrimination Act (high relevance).
  - Contractors are subject to government terms and conditions. The optimum outcome would be to ensure that they are monitored or self-audited.
- (b) To ensure that security procedures take account of disability and gender issues (high relevance).
  - The Security Guard Unit is the only part of Resource Management Directorate that comes into direct contact with the public. An optimum outcome would be for members of this unit to receive appropriate training in dealing with disabled people, women who might be pregnant or members of the public who have children with them, and to be aware of the need to treat others with respect.
- (c) To ensure that incident control procedures enable disabled people to evacuate premises quickly (high relevance).
  - Arrangements are in place for disabled members of staff to use lifts in the event of an evacuation. Personal evacuation plans must be drawn up for disabled members of staff if they indicate they need one.

## Human resources and organisational development

### Human Resources Directorate

#### *Objectives and targets*

73.

- (a) To ensure the collection of sound valid data and subsequent monitoring of policies (high relevance).
  - HR will involve disabled staff by working with the Home Office Disability Support (HODS) Network and trade unions to encourage better data collection.
  - HR will continue to educate staff about the importance of disclosing their diversity data, while observing privacy and

- confidentiality concerns, so that it can be collected and analysed in order to understand the true impact of our policies on men and women and how these differ.
- Monitoring of the data will allow us to see the difference in gender and in working patterns.
- (b) To ensure the provision of reasonable adjustments where necessary speedily and effectively at all stages of the employee life cycle.
- HR will work towards full Disability Discrimination Act compliance and beyond to include staff not covered by the Act. This will lead to disabled staff being recruited, retained and developed.
  - HR will involve disabled staff by working in partnership with the HODS Network.
- (c) To ensure the accessibility of Border and Immigration Agency services for all staff, for example learning and development, communications and childcare provision.
- This must be regardless of gender and working pattern.
  - HR will involve disabled staff by working in partnership with the HODS Network and other stakeholders.
  - Only when all services are fully accessible will it be possible to guarantee that disabled staff are developed to their full potential.
- (d) To examine closely our recruitment/selection process and understand why it affects men and women differently.
- Women consistently outperform men at trawls up to and including Senior Executive Officer (SEO).
  - Men outperform women at Grade 7 level and above.
- To identify clearly the reasons for this and take action to redress the balance.
- (e) To ensure that flexible working policies are consistently and fairly applied across the Border and Immigration Agency in support of work–life balance and business objectives.
- (f) To ensure that all HR processes adequately cover transsexual staff and potential staff in their formulation and application.
- HR will work closely with a:gender and other transsexual employee stakeholder representatives to effectively embed

- ‘gender identity’ within policies and procedures and ensure incorporation of the ‘trans perspective’.
- HR will promote *The Workplace and Gender Reassignment: A Home Office Guide for Staff and Managers* within the Border and Immigration Agency to raise awareness of transsexual issues within the workplace.
- (g) To evaluate the effectiveness of existing diversity training, and develop and implement a future diversity learning and development strategy, which supports business objectives and regional and agency organisation.
- (h) To monitor the effectiveness of existing positive action programmes, and develop and implement a future ‘balancing measures’ strategy, which supports the attainment of Home Office aspirational targets and complements the Cabinet Office Leaders Unlimited programme.
- (i) To work with stakeholders (policy and learning and development colleagues) to ensure that appropriate diversity impact assessment training is in place, including specialist modules, and embedded in existing training.

## Border and Immigration Agency Learning and Development

### *Objectives and targets*

74.

- (a) To ensure that all learning and development products are available to staff, regardless of their gender or associated working pattern, and that staff are treated with courtesy and respect.
- (b) To evaluate the quality of products and their accessibility to all staff. To ensure that staff, regardless of their working pattern, are able to fully access all options available and that where there are difficulties steps are taken to resolve these.
- (c) To ensure that all practices/products and accommodation are consistently disability friendly. This includes:
- physical access;
  - accessibility of training methods and media (including offering materials in alternative formats); and

- flexibility in delivery methods (including one to one where appropriate) – managing resources to mainstream disability to ensure that staff who have a declared disability are provided with learning that meets their needs but does not isolate them from their colleagues.
- (d) To monitor the quality of activities so that issues are raised and improvements are made where appropriate. At the moment, the information is obtained through the validation exercises at the end of events or if individuals raise specific issues.
- (e) To identify the best way to engage disabled people and their representatives and to encourage disabled staff to advise Border and Immigration Agency Learning and Development of their needs so that Learning and Development can meet them and make the appropriate reasonable adjustments. This is particularly important when new staff are sent on activities.

## Employee Resourcing Group

### *Policies and functions of particular relevance*

#### Disability

75. The Employee Resourcing Group (ERG) is working closely with Jobcentre Plus to encourage disabled candidates to apply for jobs in the Border and Immigration Agency. Jobcentre Plus ensures that its clients are trained in order to have the best opportunity when applying for Border and Immigration Agency posts.

Improvements have been made to posting times to ensure that successful candidates with disabilities are posted with the minimum of delay. This has been achieved by referring the applications of candidates who declare their disabilities for health checks at an earlier stage.

A dedicated postings and redeployment team has been set up within ERG. This allows the team to develop greater expertise in the handling of managed postings. Team members are encouraged to be robust in their handling of line managers who are reluctant to accept staff with disabilities, and to be creative in terms of identifying suitable opportunities.

### *Objectives and targets*

- (a) To ensure a better understanding among recruiters of the Guaranteed Interview Scheme (GIS) and in particular its minimum criteria. While some guidance was recently issued to local recruiters in the form of the local recruitment guide (<http://l01hm020/IND/HR/recruitment.asp>) further work will be done between the Equality and Diversity Team (EDT) and ERG to ensure that ERG staff are able to advise local recruiters about the GIS and that local recruiters understand its impact.

ERG will also consult EDT in the planning stages of major recruitment campaigns to agree minimum criteria and ensure that providers are fully briefed.

- (b) To speed up further posting times for staff with disabilities. This will require a joint approach from ERG and EDT with possibly the involvement of the Border and Immigration Agency Disability Champion to ensure that business areas are fully aware of the law and that the appropriate balance is struck between the requirement for diversity and business need.

### **Gender**

The Employee Resourcing Group manages the recruitment of staff into the Border and Immigration Agency. The data for recruitment into the Border and Immigration Agency show a gender difference. In recruitment up to SEO level, women consistently outperform men. At Grade 7 and above, the figures show that men outperform women. We need to understand why this is happening and take steps to ensure that each gender is targeted appropriately to ensure greater equality.

The Border and Immigration Agency experiences the classic glass ceiling associated with female progression in the Senior Civil Service (SCS). At Grade 7 level within the Border and Immigration Agency, there are 49 per cent females and 51 per cent males. At Grade 6 level, the figures are 28 per cent female and 72 per cent male. The organisation is addressing this by the use of positive action programmes such as Development Plus and inclusion on Leaders

Unlimited (run by the Cabinet Office). These schemes need to be monitored effectively to assess their effectiveness together with considering other options to enable more women to achieve promotion into the SCS.

### *Objectives and targets*

- (a) To ensure that our recruitment/selection processes are effective for all, regardless of gender.
- (b) To monitor the effectiveness of positive action programmes and consider further options so that women have true equality of opportunity to progress to the SCS and are not facing inappropriate barriers.

### *Pay*

The Border and Immigration Agency has considered pay issues on the grounds of gender.

- Every pay award and every new scheme is equality proofed.

There is a pay differential at Grade 7 level of above 5 per cent. Men at this grade on average earn 5.45 per cent more than their female colleagues. Steps are being taken to bring this difference to within the 5 per cent tolerance.

### *Litigation Team*

#### *Policies and functions of particular relevance*

76. The Litigation Team manages all employee litigation, including race, disability and gender discrimination claims and complex casework. It keeps current statistics to provide numbers and types of Employment Tribunal, Civil Service Appeal Board, County and High Court cases, and complex case statistics are broken down to reflect conduct, performance and attendance.

### *Objectives and targets*

- (a) To improve the statistical basis for our policies and practices as follows:
  - To break down statistics to show (where known) race, sex, disability claims etc.

- To analyse the data to work out averages, which will enable the identification of problem areas.
  - To provide this information to EDT and the business areas.
  - to assess trends across the Border and Immigration Agency.
- (b) To ensure that we make full reasonable adjustments to enable long-term sick staff to return to work.

## UKvisas

### *Policies and functions of particular relevance*

77. Processing visa or entry clearance applications abroad from those who wish to come to the UK.

### *Objectives and targets*

- (a) To ensure that applicants are not disadvantaged by reason of disability or factors related to gender when making paper-based or electronic applications (high relevance).
- The efficacy of written and electronic methods of communication needs to be considered, and how appropriate assistance can be given to those who are unable to present their case to its best advantage by reason of impairment or factors related to gender.
- (b) To ensure that applicants are not disadvantaged by reason of disability or factors related to gender when dealing face-to-face with visa sections abroad, and that there is appropriate sensitivity to cultural norms (high relevance).
- There is a requirement that visa sections abroad comply with the Disability Discrimination Act as far as possible, by ensuring access to buildings.

# Publication and publicity arrangements

78. The Border and Immigration Agency already collects and publishes a substantial body of statistical information about applications and case outcomes, including information about specific nationalities (for example, the yearly Command Paper on UK immigration statistics). As new policies and procedures are developed, the Border and Immigration Agency will of course take into account the need to build in appropriate monitoring arrangements.
79. The Home Office Research Development and Statistics Directorate already has a number of research projects under way in the field of immigration and asylum. In particular, research studies have been undertaken into the factors that lead Immigration Officers to hold certain arriving passengers for further questioning, to explore the feasibility of monitoring the ethnicity and other circumstances of arriving passengers, and into port refusal rates for different nationalities. Further research projects may be carried out, where appropriate, to evaluate any new major policies or legislative changes post implementation. Where relevant and possible, the impact of government policies on the elimination of unlawful discrimination and the promotion of good race relations will be monitored in the context of such projects and the results published with the relevant research report.
80. Wherever practicable, the Border and Immigration Agency will publish the results of relevant assessments and the nature and outcome of any consultations carried out under this scheme at such time as new policies are announced or introduced. This will include making material publicly available on the Border and Immigration Agency website, including the Independent Race Monitor's annual reports. Material will not be published where to do so might

adversely affect the integrity of immigration control, the UK's international relations or national security. Subject to the agreement of participants, the minutes of regular meetings with outside bodies at which consultations take place will also be published. Responses to formal consultation exercises will also be published unless the author specifically states that their comments should be treated in confidence.

81. The Border and Immigration Agency fully accepts the need for programmes, particularly at the local level, to ensure that communities understand the benefits of migration and also the reasons why people become refugees and their special needs. Such programmes aim to enhance community cohesion and counter adverse press comment on immigration and asylum issues. The Border and Immigration Agency will continue to take forward a programme of work to pursue this aim.
82. The Government wants to ensure that employers do not discriminate against individuals on the basis of their racial background when taking steps to comply with the provisions of Section 8 of the Asylum and Immigration Act 1996 (the 1996 Act). Section 22 of the Immigration and Asylum Act 1999 amended the 1996 Act and introduced a Code of Practice for employers. The guidance has been produced by the Home Office in consultation with appropriate organisations, including the Commission for Racial Equality and the Equality Commission for Northern Ireland, and can be accessed from the 'Preventing illegal working' pages of the Border and Immigration Agency website at [www.ind.homeoffice.gov.uk/lawandpolicy/preventingillegalworking](http://www.ind.homeoffice.gov.uk/lawandpolicy/preventingillegalworking). The Code outlines employers' legal obligations under the Race Relations Act 1976, as amended, and the Race Relations (Northern Ireland) Order 1997, as amended, and provides some examples of best practice in employment procedures that can help employers meet these obligations. We advise that it is not comprehensive and it is for employers to operate transparent recruitment practices that are consistent with the law, to ensure fair treatment to all applicants.

83. The quickest and easiest way to find out about the Immigration Rules and information on the services provided is to use the Border and Immigration Agency website. The website also gives answers to the most frequent questions people ask about a whole range of immigration matters.
84. The Public Enquiry Offices are based in Croydon, Birmingham, Liverpool and Glasgow, and offer (for certain types of applications) a same-day service to people who apply in person. Applicants are advised to check the information relating to the office they intend to visit carefully, to ensure they are able to process the application. All information provided by an applicant should be in English or accompanied by an English translation. There may be times when Border and Immigration Agency staff will need to commission a translation of a particular document or other piece of information.
85. We seek to produce information in foreign language translation when our customers require this. Normally, though not exclusively, this is asylum-related information. Historically, local Border and Immigration Agency business areas have produced asylum-related material, and this is routinely translated into many languages. Other than in asylum-related material, our customers will require translation only when there is a clear and defined need.
86. The Border and Immigration Agency Internet Team produces a range of websites for customers and stakeholders. To reflect the diversity of our customers, we have set up a stakeholder group comprising foreign nationals seeking leave to remain. Once a website is requested, full information will be gained about the target audience and the site will be developed accordingly. We follow worldwide guidelines on usability of websites and aim to ensure that the site can be easily navigated and understood irrespective of what ethnic background a user originates from.
87. In respect of verbal communication, where Border and Immigration Agency customers cannot understand English, an interpreter is called in from the Border and Immigration Agency Interpreters Unit.

# Complaints procedure

88. The equality legislation does not provide individuals with a legal right of action in respect of the general duties. If someone has a complaint regarding the Border and Immigration Agency's compliance with any of the general duties in respect of an immigration or nationality policy matter, they should put their complaint in writing to:  
  
The Deputy Director  
Enforcement and Compliance Policy Development Unit  
6th Floor  
Green Park House  
29 Wellesley Road  
Croydon  
CR0 2AJ
89. Appeals about decisions made in individual immigration, asylum or nationality cases should be lodged with the Asylum and Immigration Tribunal via the Border and Immigration Agency in the normal way, and complaints about the behaviour of Border and Immigration Agency staff should be directed to the appropriate complaints unit. For more information, visit the Border and Immigration Agency's website at [www.ind.homeoffice.gov.uk](http://www.ind.homeoffice.gov.uk). A statistical breakdown of formal complaints is published annually by the Border and Immigration Agency Complaints Audit Committee in its formal report to the Home Secretary, a copy of which can be found on the Border and Immigration Agency website.
90. The Border and Immigration Agency will monitor the incidence of complaints of racial discrimination made under the Agency's non-statutory complaints scheme, claims for damages in the civil courts for unlawful discrimination, and appeals to the Asylum and Immigration Tribunal at which discrimination is upheld.

91. The Commission for Racial Equality, Disability Rights Commission and Equal Opportunities Commission have the power to enforce the specific duties imposed on listed public authorities, as will the Commission for Equality and Human Rights. It is open to individuals, representative and community organisations, and others to notify the Commission for Racial Equality, Disability Rights Commission or Equal Opportunities Commission, and subsequently the Commission for Equality and Human Rights, if they are concerned that a public authority has failed to comply with its specific duties. However, the Border and Immigration Agency hopes that if there are concerns about the Agency's compliance with specific duties, then in the first instance these concerns would be raised with the Agency itself.

# Race Equality Scheme Action Plan

| Business area | Lead  | Aims/activities   | Key performance indicators   | Outcomes/reviews |
|---------------|---|---|--|------------------|
| Policy        | Lorraine Rogerson, Head of Profession, Policy | <p>The Border and Immigration Agency will assess, in accordance with Commission for Racial Equality (CRE) guidance, the potential impact with regard to the avoidance of unlawful racial discrimination and on good race relations; and will publish its race equality impact assessments.</p> <p>Existing codes of practice will be revised to ensure that employers do not discriminate against individuals on the basis of their racial background when taking steps to comply with the law relating to the prevention of illegal migrant working in the UK.</p> | <p>Where the Border and Immigration Agency requires further information about the potential impact of a proposed new policy or procedure on community relations, the Agency will, as far as possible, seek to make use of existing contacts with representative bodies, local authorities, national and local law enforcement agencies and community organisations for an informed view.</p> |                  |

| Business area  | Lead  | Aims/activities  | Key performance indicators  | Outcomes/reviews   |
|----------------|---|--|---|--|
| Border Control | Brodie Clark,<br>Senior Director,<br>Border Control | The Border and Immigration Agency will train its Border Control staff on the avoidance of unlawful race discrimination and the promotion of good race relations, and will put measures in place to avoid a self-perpetuating list of nationals likely to be refused. | The Border and Immigration Agency recently conducted research exploring factors that lead Immigration Officers to hold certain arriving passengers for further questioning. The research also explored the feasibility of monitoring the ethnicity and other circumstances of arriving passengers. This may lead to the development of a larger-scale monitoring system, if feasible and appropriate. | Research into the examination of arriving passengers has been completed. The feasibility of larger-scale monitoring is to be reviewed by May 2008. |

| Business area                         | Lead               | Aims/activities   | Key performance indicators   | Outcomes/reviews                                |
|---------------------------------------|--------------------|---|--|---|
| Border and Immigration Agency regions | Regional Directors | The Border and Immigration Agency will train its asylum caseworkers on the avoidance of unlawful race discrimination and the promotion of good race relations.  | The quality of asylum decisions is monitored through sampling by the United Nations High Commission for Refugees and the Treasury Solicitor. We also monitor the rate of allowed appeals.  | Caseworker training to be reviewed by May 2008. |
| Border and Immigration Agency regions | Regional Directors | The Border and Immigration Agency has published race equality impact assessments for the managed migration measures in the five-year strategy.<br>A consultation document on the provision of future refugee integration services was published in October 2006. Following the consultation process, a policy statement on the provision of these services will be published. | The Border and Immigration Agency will monitor the indicators included in the race equality impact assessments.<br>Contracts for these services will include provisions to ensure compliance with race equality legislation, and performance against the contract will be closely monitored. | To be reviewed by May 2008.                     |

| Business area                         | Lead               | Aims/activities  | Key performance indicators   | Outcomes/reviews  |
|---------------------------------------|--------------------|--|--|---|
| Border and Immigration Agency regions | Regional Directors | The introduction of testing of knowledge of English and of life in the UK will have a positive impact in terms of race equality by promoting the economic and social integration of migrants, for which knowledge of these matters is essential. | The tests of knowledge of life in the UK for citizenship will be monitored by way of management information systems for evidence of any cultural or racial bias in particular questions.   | To be monitored by May 2008.                              |
| Border and Immigration Agency regions | Regional Directors | All enforcement operations are assessed for potential community relations impact in advance.   | The Border and Immigration Agency will work with the CRE and other stakeholders to monitor the impact of legal duties on employers in respect of the prevention of illegal migrant working. We will monitor complaints and legal actions alleging race discrimination arising out of enforcement action. | Complaints and legal actions to be monitored by May 2008. |

# Disability Equality Scheme Action Plan

| Business area | Lead  | Activity/objective   | Key performance indicators   | Timetable/outcomes/ reviews   |
|---------------|---|--|--|---|
| Policy        | Lorraine Rogerson, Head of Profession, Policy | <p>The Border and Immigration Agency will assess, in accordance with Disability Rights Commission and subsequently Commission for Equality and Human Rights guidance, the potential impact of its policies with regard to the avoidance of unlawful disability discrimination and the promotion of disability equality; and will publish its disability equality impact assessments.</p> <p>Where the Border and Immigration Agency requires further information it will, as far as possible, seek to make use of existing contacts with external stakeholders for an informed view.</p> | <p>The Border and Immigration Agency will publish its disability equality impact assessments and, whenever possible, the results of its consultations.</p> | <p>Existing policies will be assessed by the end of September 2007.</p> |

| Business area              | Lead  | Activity/objective   | Key performance indicators  | Timetable/outcomes/ reviews  |
|----------------------------|---|--|---|--|
| Policy<br>(continued)      |   | <p>Key policies for assessment include:</p> <ul style="list-style-type: none"> <li>■ promoting the integration within the community of refugees given indefinite leave to remain;</li> <li>■ providing proper preparation for and celebration of citizenship;</li> <li>■ introducing the Points-Based System for applications for entry to the UK; and</li> <li>■ removing mentally ill people and mentally disordered offenders from the UK.</li> </ul> |   |  |
| Border Control Directorate | Brodie Clark,<br>Senior Director,<br>Border Control | <p>Border Control staff to receive appropriate training for face-to-face communication.<br/>A contingency plan specific to each location (depending on type and size of the port) to be prepared for each port.</p>  | A record to be kept of all incidents involving disabled people each year, divided by type (requests for help, specialised equipment, etc.). | Standard equipment to be made available at ports as appropriate by April 2008. |

| Business area                                | Lead                      | Activity/objective   | Key performance indicators  | Timetable/outcomes/ reviews   |
|--|---------------------------|--|---|---|
| <p>Border and Immigration Agency regions</p> | <p>Regional Directors</p> | <p>Asylum staff to receive appropriate training for interviewing and consideration of cases.</p> <p>Staff to ensure that asylum seekers are able to ask for assistance, and know that particular needs can be indicated. It should be made clear that disclosure of disability will not be a negative factor in the consideration of cases.</p> <p>Efficacy of written and face-to-face methods of communication to be considered.</p> | <p>Measurable indicators will be drawn up and published after appropriate consultation.</p> | <p>Asylum applicants must not be disadvantaged by disability during the consideration of their claims.</p> <p>Staff considering asylum claims must identify any disability issues at an early stage where possible, e.g. questions of access, or factors that might prevent applicants from understanding proceedings or being able to present their case fully. Services should be in place to provide appropriate assistance in individual cases by April 2008.</p> <p>The Border and Immigration Agency will provide appropriate assistance to those who are unable to present their case to its best advantage by reason of impairment by April 2008.</p> |

| Business area   | Lead | Activity/objective   | Key performance indicators  | Timetable/outcomes/ reviews  |
|---|------|--|---|--|
| <p>Border and Immigration Agency regions<br/>(<i>continued</i>)</p> |      | <p>Needs of asylum seekers with disabilities to be given consideration in dispersal (allocation of asylum seekers in accommodation around the country after initial reception), to include consideration of dispersal location and the suitability of accommodation. Asylum seekers to be given sufficient opportunity to indicate their needs.</p> <p>A consultation document on the provision of future refugee integration services was published in October 2006. Following the consultation process, a policy statement on the provision of these services will be published.</p> | <p>Contracts for these services will include provisions to ensure compliance with disability equality legislation and performance against the contract will be closely monitored.</p> | <p>Allocation of dispersal accommodation will take account of any particular needs, e.g. need for ground-floor accommodation. Dispersal will be to an area where any necessary treatment is available and will only take place after arrangements have been made to transfer care – by May 2007.</p> |

| Business area                         | Lead               | Activity/objective  | Key performance indicators   | Timetable/outcomes/ reviews  |
|---------------------------------------|--------------------|---|--|--|
| Border and Immigration Agency regions | Regional Directors | <p>Staff to receive appropriate training in dealing with disabled people during enforcement operations.</p> <p>Disability to be taken into account when failed asylum seekers and others are removed or during after-entry enforcement operations.</p>  | <p>Every case should be risk assessed. Standards of approach to be consistent.</p>         | <p>Existing procedures to be assessed for relevance to disability equality by the end of September 2007.</p>   |
| Border and Immigration Agency regions | Regional Directors | <p>Managed Migration staff to receive appropriate training for consideration of applications and, at Public Enquiry Offices (PEOs), for face-to-face communication and for awareness of hidden disabilities.</p> <p>Efficacy of written and face-to-face methods of communication to be considered.</p> | <p>Statistical evidence to be gathered to indicate where possible disadvantage occurs.</p> | <p>PEOs to be constructed to specified standards.</p> <p>Standard equipment to be made available at PEOs as appropriate.</p> <p>The Border and Immigration Agency will provide appropriate assistance to those who are unable to present their case to its best advantage by reason of impairment by April 2008.</p> |

| Business area   | Lead | Activity/objective   | Key performance indicators | Timetable/outcomes/ reviews  |
|---|------|--|----------------------------|--|
| <p>Border and Immigration Agency regions<br/><i>(continued)</i></p> |      | <p>Ensuring that applicants for entry under routes of managed migration are able to ask for assistance and in particular that they know specific needs can be indicated; and making clear that disclosure of disability will not be a negative factor in the consideration of cases.</p> <p>Consideration of whether disadvantage due to disability in the country of origin when making an application can be mitigated by subsequent procedures.</p> |                            | <p>Existing procedures to be assessed for relevance to disability equality by the end of September 2007.</p> |

| Business area                   | Lead   | Activity/objective  | Key performance indicators   | Timetable/outcomes/ reviews  |
|---------------------------------|--|---|--|--|
| Detention Services Directorate  | Brian Pollett, Director, Detention and Accommodation Centre Services | <p>Detention Services staff to receive appropriate training.</p> <p>Particular needs of detainees to be assessed before they enter detention. Incoming detainees to go to an appropriate location and receive appropriate facilities and support.</p>   | Measurable indicators will be drawn up and published after appropriate consultation. | <p>Detention centres to be built to specified standards.</p> <p>Standard equipment to be made available at detention centres as appropriate by April 2008.</p> <p>Disability policy of every site regularly reviewed.</p> <p>Existing procedures to be assessed for relevance to disability equality by the end of September 2007.</p> |
| Resource Management Directorate | Sarah Wood, Senior Director, Resource Management                     | <p>Procurement strategies – contractors to be monitored.</p> <p>Security and Anti-Corruption Unit – security procedures to ensure that, where practicable, disability is taken into account.</p> <p>Security Guard Unit to receive appropriate training for safety procedures and incident control.</p> | Measurable indicators will be drawn up and published after appropriate consultation. | Contractors should be monitored.   |

| Business area  | Lead   | Activity/objective  | Key performance indicators   | Timetable/outcomes/ reviews   |
|--|--|---|--|---|
| Organisational Development and Human Resources Directorate | Joe Dugdale, Senior Director, Organisational Development and Human Resources | <p>Human resources: provision of reasonable adjustments for staff speedily and effectively at all stages of the employee life cycle.</p> <p>Collection of data and monitoring of Border and Immigration Agency policies.</p> <p>Accessibility of Border and Immigration Agency services.</p> <p>Border and Immigration Agency Learning and Development: training and provision of learning and development.</p> | <p>Employment targets for representation, progression and retention to be met.</p> | <p>Sufficient data to be collected to allow the Border and Immigration Agency to monitor effectively its compliance with its duties towards disabled staff.</p> <p>All Border and Immigration Agency services to be accessible to disabled staff.</p> <p>Training and learning and development to be fully accessible to disabled staff (by December 2009).</p> |

| Business area                | Lead  | Activity/objective   | Key performance indicators  | Timetable/outcomes/ reviews   |
|------------------------------|---|--|---|---|
| UKvisas                      | Emma de-la-Haye, Director of Corporate Services | <p>UKvisas staff to receive appropriate training for interviews and consideration of applications.</p> <p>Ensuring applicants for entry clearance are able to ask for assistance, and that they know that particular needs can be indicated; and making clear that disclosure of disability will not be a negative factor in the consideration of cases.</p> | <p>Audit and monitor customer complaints for any disability issues.</p> <p>Ensure that disability monitoring is included in customer surveys.</p> | <p>Standard equipment to be made available at visa sections as appropriate by April 2008.</p> <p>UKvisas will provide appropriate assistance to those who are unable to present their case to its best advantage by reason of impairment by April 2008.</p> <p>Existing procedures to be assessed for relevance to disability equality by the end of December 2007.</p> |
| All directorates and regions | The Border and Immigration Agency Board         | To ensure monitoring of procedures for disability equality.  | Statistical and other evidence will be gathered as appropriate and analysed, and action taken on the results if needed.                           | Measurement possibilities at key points within end-to-end process to be defined in line with key performance areas by December 2009.  |

# Gender Equality Scheme Action Plan

| Business area | Lead  | Aims/activities   | Key performance indicators   | Timetable/outcomes/ reviews   |
|---------------|---|---|--|---|
| Policy        | Lorraine Rogerson, Head of Profession, Policy | <p>The Border and Immigration Agency will assess, in accordance with Equal Opportunities Commission and subsequently Commission for Equality and Human Rights guidance, the potential impact of its policies with regard to the avoidance of unlawful gender and gender identity discrimination and the promotion of equality of opportunity between men and women; and will publish its gender equality impact assessments.</p> <p>Where the Border and Immigration Agency requires further information it will, as far as possible, seek to make use of contacts with external stakeholders for an informed view.</p> | <p>The Border and Immigration Agency will publish its gender equality impact assessments and, whenever possible, the results of its consultations.</p> | <p>Existing policies will be assessed by the end of March 2008.</p> |

| Business area         | Lead  | Aims/activities  | Key performance indicators   | Timetable/outcomes/ reviews   |
|-----------------------|---|--|--|---|
| Policy<br>(continued) |   | <p>Key policies for assessment include:</p> <ul style="list-style-type: none"> <li>■ promoting the integration within the community of refugees given indefinite leave to remain;</li> <li>■ providing proper preparation for and celebration of citizenship;</li> <li>■ introducing the Points-Based System for applications for entry to the UK; and</li> <li>■ removing mentally ill people and mentally disordered offenders from the UK.</li> </ul> |  |   |
| Border Control        | Brodie Clark,<br>Senior Director,<br>Border Control | Border Control staff to receive appropriate training for face-to-face communication.   | Measurable indicators will be drawn up and published after appropriate consultation. | Border Control staff to be aware of issues that affect transsexual people and of gender issues, and aware of the paramount need to treat customers with courtesy and respect. |

| Business area                         | Lead               | Aims/activities  | Key performance indicators  | Timetable/outcomes/ reviews  |
|---------------------------------------|--------------------|--|---|--|
| Border and Immigration Agency regions | Regional Directors | <p>Asylum staff to receive appropriate training for interviewing and consideration of cases.</p> <p>Staff to ensure that asylum seekers are able to ask for assistance, and know that gender-related needs can be indicated.</p> <p>Gender-related needs of asylum seekers to be given consideration in dispersal (allocation of asylum seekers to accommodation around the country after initial reception), to include consideration of dispersal location and the suitability of accommodation.</p> <p>Asylum seekers to be given sufficient opportunity to indicate their needs.</p> | <p>Measurable indicators will be drawn up and published after appropriate consultation.</p> | <p>Asylum applicants must suffer no disadvantage due to any factors related to gender or gender identity during the consideration of their claims.</p> <p>Staff considering asylum claims must identify any gender issues at an early stage, where possible.</p> <p>Allocation of dispersal accommodation will be appropriate in relation to gender, taking into account all relevant considerations, by May 2007.</p> |

| Business area   | Lead               | Aims/activities  | Key performance indicators   | Timetable/outcomes/reviews   |
|---|--------------------|--|--|--|
| Border and Immigration Agency regions<br><i>(continued)</i> |                    | A consultation document on the provision of future refugee integration services was published in October 2006. Following the consultation process, a policy statement on the provision of these services will be published.                                  | Contracts for these services will include provisions to ensure compliance with gender equality legislation and performance against the contract will be closely monitored. |  |
| Border and Immigration Agency regions                       | Regional Directors | Staff to receive appropriate training in dealing with gender-related issues during enforcement operations.<br>Gender-related issues to be taken into account when failed asylum seekers and others are removed or during after-entry enforcement operations. | Every case should be risk assessed. Standards of approach to be consistent.  | Where appropriate, officials of one particular gender should deal with members of the public in specific situations, by May 2007.<br>Existing procedures to be assessed for relevance to gender equality by the end of March 2008. |

| Business area                                | Lead                      | Aims/activities   | Key performance indicators   | Timetable/outcomes/reviews   |
|--|---------------------------|---|--|--|
| <p>Border and Immigration Agency regions</p> | <p>Regional Directors</p> | <p>Managed Migration staff to receive appropriate training for consideration of applications and, at Public Enquiry Offices, for face-to-face communication. Managed Migration staff are aware of the need for privacy in the handling of records, e.g. in relation to gender identity. Ensuring that applicants for entry under routes of managed migration are able to ask for appropriate assistance. Consideration of whether disadvantage due to gender in the country of origin when making an application can be mitigated by subsequent procedures.</p> | <p>Statistical evidence to be gathered to indicate where possible disadvantage occurs.</p> | <p>All staff to ensure that Border and Immigration Agency services are accessible to all, regardless of gender or gender identity, and that any disclosure on personal information will not be a negative factor in the consideration of their case. Existing procedures to be assessed for relevance to gender equality by the end of March 2008.</p> |

| Business area       | Lead   | Aims/activities  | Key performance indicators   | Timetable/outcomes/ reviews   |
|---------------------|--|--|--|---|
| Detention Services  | Brian Pollett, Director, Detention and Accommodation Centre Services | <p>Detention Services staff to receive appropriate training.</p> <p>Particular needs of detainees to be assessed before they enter detention. Incoming detainees to go to an appropriate location and receive appropriate facilities and support.</p> <p>Detention policy must specifically relate to gender identity.</p> | Measurable indicators will be drawn up and published after appropriate consultation. | Existing procedures to be assessed for relevance to gender equality by the end of March 2008. |
| Resource Management | Sarah Wood, Senior Director, Resource Management                     | <p>Procurement strategies – contractors to be monitored.</p> <p>Security and Anti-Corruption Unit – security procedures to ensure that, where practicable, gender is taken into account.</p> <p>Security Guard Unit to receive appropriate training for safety procedures and incident control.</p>                        | Measurable indicators will be drawn up and published after appropriate consultation. | Contractors should be monitored.  |

| Business area                                  | Lead   | Aims/activities  | Key performance indicators   | Timetable/outcomes/ reviews  |
|--|--|--|--|--|
| Organisational Development and Human Resources | Joe Dugdale, Senior Director, Organisational Development and Human Resources | <p>Human Resources: to examine closely HR policies and processes and understand how they affect men and women differently.</p> <p>To assess policies for gender impact.</p> <p>Provision of HR services for all regardless of gender and work pattern at all stages of the employee life cycle.</p> <p>Border and Immigration Agency Learning and Development: training and provision of learning and development.</p> | <p>Sufficient data to be collected to allow the Border and Immigration Agency to monitor effectively its compliance with its duties towards men and women at every stage of the employee life cycle.</p> <p>Provision of HR services for all regardless of gender and work pattern at all stages of the employee life cycle.</p> <p>A range of blended learning products in place.</p> | <p>Policies and processes in place which take full account of issues of gender and gender identity.</p> <p>All Border and Immigration Agency services to be available to all regardless of their gender or working pattern.</p> <p>Training and learning and development to be fully accessible to all, regardless of their gender or working pattern.</p> |

| Business area   | Lead | Aims/activities   | Key performance indicators                       | Timetable/outcomes/ reviews  |
|---|------|---|--|--|
| Organisational Development and Human Resources<br>(continued) |      | <p>Review of how learning and development is delivered.<br/>                     Recruitment/selection: recruitment/selection processes.<br/>                     To raise awareness of transsexual issues in the workplace.<br/>                     To promote <i>The Workplace and Gender Reassignment: A Home Office Guide for Staff and Managers</i>.</p> <p>Pay: to ensure that the pay differential for all grades is within the 5 per cent tolerance level.</p> | <p>Evaluation of positive action programmes.</p> | <p>Positive action programmes in place which help address under-representation.<br/>                     Staff recruited, developed to full potential.</p> <p>Consistency of pay – specifically Grade 7 – within the 5 per cent tolerance level.</p> |

| Business area  | Lead | Aims/activities  | Key performance indicators   | Timetable/outcomes/ reviews   |
|--|------|--|--|---|
| Organisational Development and Human Resources<br><i>(continued)</i> |      | <p>To evaluate the effectiveness of existing diversity training and develop and implement a future diversity learning and development strategy, by September 2007.</p> <p>To monitor the effectiveness of existing positive action programmes and develop and implement a future 'balancing measures' strategy.</p> <p>To work with stakeholders (policy and learning and development colleagues) to ensure that appropriate equality impact assessment training is in place, including embedding in existing training and specialist modules.</p> | <p>Diversity training designed which is deemed effective by stakeholders.</p> <p>Policies assessed – evidence of mitigating actions taken.</p> | <p>Diversity training in place which supports business objectives and regional and agency organisation.</p> <p>Programme(s) in place which support the attainment of Home Office aspirational targets and complement the Cabinet Office Leaders Unlimited programme.</p> <p>All policies impact assessed for (diversity) adverse impact. Specific duties met.</p> |

| Business area                | Lead  | Aims/activities  | Key performance indicators  | Timetable/outcomes/ reviews  |
|------------------------------|---|--|---|--|
| UKvisas                      | Emma de-la-Haye, Director of Corporate Services | <p>UKvisas staff to receive appropriate training for interviews and consideration of applications.</p> <p>Ensuring applicants for entry clearance are able to ask for assistance, and that they know that particular needs can be indicated.</p> | <p>Audit and monitor customer complaints for any gender issues.</p> <p>Ensure that gender monitoring is included in customer surveys.</p> | <p>UKvisas will provide appropriate assistance by April 2008.</p> <p>Existing procedures to be assessed for relevance to gender equality by the end of March 2008.</p> |
| All directorates and regions | Border and Immigration Agency Board             | To ensure monitoring of procedures for gender equality.  | Statistical and other evidence will be gathered as appropriate and analysed, and action taken on the results if needed.                   | Measurement possibilities at key points within end-to-end process to be defined in line with key performance areas by April 2010.                                      |