

Appendices C to G

Appendix C:

Impact Assessments of Policies and Priorities for Action 2007-08

**Impact Assessment currently completed or in progress during 2006
(Results will be published in 2007)**

e-Delivery Group:

- IT Governance
- Possessions Claims Online

Finance – Commercial Group

- DISC programme finance
- Smoke free policy
- Criminal record check policy

Human Resources Directorate

- Finding a balance guidance booklets
- Special leave policy
- Probation policy
- Single HR oracle system (SHRS)
- Learning and development cancellation policy
- Managing attendance
- Reduction in the work of the Official Solicitor and Public Trustee
- Core competence framework
- Corporate terms and conditions
- Flexible working guidance
- Managing organisational change
- Performance management
- Future leaders scheme

Legal And Judicial Services Group – Judicial Services and Corporate Diversity

- Judicial diversity – changes to eligibility criteria
- Work shadowing the legal professions
- Disability Equality Scheme
- Guidance on Ramadan
- Guidance on Prayer arrangements
- Guidance on swearing oaths and affirmations
- Guidance on employment equality (Age)
- Developing and implementing rules authorising magistrates to sit in family and youth courts
- Judicial forecasting project/ oversight of judicial forecasting process

- Consulting on allowing judges to return to legal practice
- Rolling initiative with solicitors firms to promote judicial service

Legal And Judicial Services Group – Legal Services Regulation and Redress Division

- Legal Services Reform Bill

Strategy – Change Directorate

- Rules of court – new court of protection Mental Capacity Act

Strategy – Constitution Directorate

- Electoral Administration Bill

Strategy – Legal Aid Strategy

- Criminal Defence Service (recovery of defence costs order) regulations 2006

HMCS Civil, Family and Customer Services

- Specialist domestic violence courts
- Integrated domestic violence court pilot project (Croydon)
- Customer feedback forms
- Customer service standards
- Chartermark
- Centralisation of family administration
- Domestic violence protocols
- Merger of family teams
- Pilot on unified family court

HMCS Estates

- Safe and secure guidelines for effective security in HMCS
- HMCS health and safety policy and practice

HMCS London region

- Barnet Family Hearing Centre

HMCS Midlands

- Extended opening hours (Northampton)
- Change of family procedure by setting up a mediation scheme (Northampton)
- National Chartermark strategic framework (Telford)
- Temporary relocation of Leamington Magistrates Court (Warwick)
- Community engagement strategy (Nottinghamshire)
- Communication strategy (Staffordshire)
- Consultation strategy (Staffordshire)
- Customer service policy (Staffordshire)

- Information strategy (Staffordshire)
- Development of specialist family court (Staffordshire)
- Community engagement plan (West Mercia)

HMCS North East

- Office move Bishop Auckland County Court (Durham)
- Flexible working scheme (Durham)
- Annual leave policy - Grimsby Magistrates Court (Humberside)
- Jury information booklet (North East)
- Merger of family sections Sunderland County and Magistrates Courts (Northumbria)
- Code of Conduct (South Yorkshire)
- Volunteer BME focus group to evaluate CJS agency policies (West Yorkshire)

HMCS North West

- Support to Magistrates bench Chairmen (North West)
- Alteration of the local justice areas (Chorley - Lancashire)
- Flexible working hours agreement (Lancashire)
- Relocation of Salford Magistrates Court (Greater Manchester)
- Move of County Court Payments and Enforcement Centre (Liverpool - Merseyside)
- Liverpool Youth Court relocation (Liverpool - Merseyside)
- New Liverpool Civil and Family Courts (Liverpool - Merseyside)
- Protocol for effective offender management (Merseyside)

HMCS South East

- Specialist domestic violence court pilot (Peterborough - Cambridgeshire)
- Makaton signage in Courts (Thames Valley)
- Communications strategy (Thames Valley)
- Thames Valley Chartermark strategy (Thames Valley)

HMCS Wales and Cheshire

- Regional workforce restructuring
- Flexible working
- Dress code
- Area business plan for Cheshire 2006-07
- Cheshire and North Wales area separation
- Proposed relocation of South Wales Courthouses

Public Guardianship Office

- Mental Capacity Act and constitution

Tribunals

- Residential Property Tribunal

Priorities for impact assessments in 2007 (Results will be published in 2008-09)

Lead Responsibility for ensuring completion – see Action Plans (Appendix B)

Finance – Commercial Group

- Procurement policy and processes and contracts (in partnership with Office of Government Commerce)

Human Resources Directorate

- Learning and development plan
- Training policies
- Senior civil service recruitment practice
- Senior civil service pay strategy
- Performance management
- Temporary promotion policy
- Exit interview process
- Employee monitoring system
- Well being policies
- Recruitment briefing pack for managers
- Pay and Grading Project

Legal And Judicial Services Group – Judicial Services and Corporate Diversity

- Chaplains policy (structure and finance)
- Prayer arrangements policy

Strategy – Change Directorate

- Implementation of Mental Capacity Act (in partnership with Department of Health)

Strategy – Constitution Directorate

- Photos on ballot papers
- Electronic voting pilots (e-voting)
- Voter registration policy and process
- Increased access to voting

Strategy – Legal Aid Strategy

- Legal aid allocations
- Delivery of post-Carter legal aid reform package

Strategy – Strategy and Communications

- Procurement review
- Web strategy
- Assist Criminal Justice Delivery Team with DIA for the Victims and Witnesses DVD

HMCS Civil, Family and Customer Services

- Domestic violence applications for Injunctions (in partnership with the Home Office)
- Children’s Care proceedings programme
- Children and Adoption Act
- Unified family service
- Openness of family courts (transparency)
- Co-habitation (consultation being led by Law Commission)
- Customer Satisfaction Survey

HMCS Crime and Strategy

- Protocol to support victims
- Victims and witnesses improvement plan
- Information leaflets for witnesses
- Dedicated drug court project
- Warrant protocol
- Victims and witnesses protocol
- Role of witness care units
- Witness staggering protocol
- Community penalty breach protocol
- Case progression and witness liaison

HMCS London region

- Digital Audio Recording (London)
- Electronic Filing System (London)
- Access to website (London)

HMCS Midlands

- Customer service plan (Derbyshire and Nottinghamshire)
- Local standards (Derbyshire and Nottinghamshire)
- Review of court opening hours (Derbyshire and Nottinghamshire)
- Mediation pilot and implementation (Leicestershire, Lincolnshire and Northamptonshire)
- Community involvement strategy (Staffordshire and West Mercia)
- Protocol to support victims code of practice (Staffordshire and West Mercia)
- Victims/ witnesses improvement plan (Staffordshire and West Mercia)

HMCS North West

- Restructuring of administration (Cumbria)
- Building of Civil Justice Centre (Greater Manchester)
- Diversity and Customer Service Training Strategy (Greater Manchester)
- CEO Re-structure (Greater Manchester)
- Saturday & Remand Courts (Greater Manchester)
- Domestic Violence Court (Greater Manchester)
- Each aspect of headcount reduction (Greater Manchester)
- Wigan Co-location (Greater Manchester)
- Arrangements around family courts (Greater Manchester)
- Local Delivery Plans (Greater Manchester)
- IWW Recommendations (Greater Manchester)
- Family Centre (Lancashire)

HMCS South East

- Community Merger of Magistrates Benches

HMCS South West

- Centralisation of Family Administration
- New senior management structure
- Warrant Protocol
- Victims and Witnesses Protocol
- Role of Witness Care Units
- Flexible working hours
- Witness Staggering Protocol
- Community Penalty Breach Protocol
- Case Progression Officers and Witness Liaison Officers
- Domestic Violence Protocol
- Merger of family teams

HMCS Wales and Cheshire

- Relocation of Caernarfon Civil Justice Centre
- Relocation of Gwent FPC Administrative staff
- Relocation of Regional Office

Court Funds Office/ Official Solicitor and Public Trustee

- Regular review of Children's Investment Awards
- Payment of Awards to all beneficiaries function
- Review of Court of Protection Client Accounts
- Outreach Programme

- Leaflets/ Statements and Booklets
- Opening Hours
- Unclaimed Balances/ Remedial Work

Office for Judicial Complaints

- Translation Policy

Public Guardianship Office

- New IT systems
- New organisational structure
- New forms and guidance

Tribunals

- Enforcement Bill
- Procurement/ policy process
- Standardised office opening hours (CICAP)

Appendix D: Associated Offices

A number of statutory and non-statutory bodies are staffed by DCA employees and/or sponsored by the DCA. For ease of reference these are known as DCA Associated Offices. This section describes the role of each Associated Office and the individual approaches taken in relation to meeting the general and specific duties under the Race Relations Act (as amended).

It should be noted that, when Courts and Tribunals are acting in their judicial capacity and in order to maintain judicial independence, the government's policy is that it would be inappropriate for the general statutory duty to apply to these bodies. In relation to actions taken in a non-judicial capacity, please refer to the particular entry in Appendix D.

The Council on Tribunals:

The Council is a statutory, advisory non-departmental public body (NDPB)

Its function is to keep under review the constitution and working of certain tribunals and advises government departments about the procedures which govern the operation of tribunals and inquiries

It is bound by the General Statutory Duty to promote Race Equality.

It is not bound by the Specific Duty to publish a Scheme.

It is not bound by the Employment Duty but the Council's Secretariat comprises DCA staff who are therefore covered by the DCA Race Equality Scheme and its duty on employment.

The Directorate of Judicial Offices for England and Wales (DJO):

The DJO is made up of the Judicial Office, the Judicial Communications Office, both established in April 2006, and the Judicial Studies Board, created in 1979

Its function is to support the Lord Chief Justice, the Heads of Division and other members of the senior judiciary in the statutory responsibilities that transferred to the Lord Chief Justice from the Lord Chancellor in the Constitutional Reform Act 2005

In particular, the Lord Chief Justice became Head of the Judiciary, and his responsibilities now include:

- representing the views of the judiciary of England and Wales to Parliament, the Lord Chancellor and Ministers generally
- maintaining appropriate arrangements for the welfare, training and guidance of the judiciary, within the resources made available by the Lord Chancellor
- maintaining arrangements for the deployment of judges and allocation of work within the courts

It is not bound by the General Statutory Duty to promote Race Equality.

It is not bound by the Specific Duty to publish a Scheme.

It is not bound by the Employment Duty but the Offices' staff are DCA employees and are therefore covered by the DCA Race Equality Scheme and its duty on employment.

Her Majesty's Inspectorate of Court Administration (HMICA):

HMICA is a statutory inspectorate set up under the provisions of the Courts Act 2003 on 1 April 2005

Its function is:

- To inspect and report to the Lord Chancellor on the system that supports the carrying on of the business of the Crown, County and Magistrates' Courts and the services provided for those Courts
- To inspect and report to the Lord Chancellor on the performance of CAFCASS (Children and Family Court Advisory and Support Service) functions

It is not bound by the General Statutory Duty to promote Race Equality.

It is not bound by the Specific Duty to publish a Scheme.

It is not bound by the Employment Duty but HMICA staff are DCA staff and are therefore covered by the DCA Race Equality Scheme and its duty on employment.

The Judicial Appointments and Conduct Ombudsman (JACO):

The Ombudsman is a statutory office set up under the Constitutional Reform Act 2005

Its function is to investigate complaints about the judicial appointments process and the handling of matters involving judicial discipline or conduct.

It is not bound by the General Statutory Duty to promote Race Equality. The JACO is, however, committed to ensuring that he and his office operate in accordance with the general duty under the RRA.

It is not bound by the Specific Duty to publish a Scheme.

It is not bound by the Employment Duty but the staff in the JACO Office are DCA employees and are therefore covered by the DCA Race Equality Scheme and its duty on employment.

The Judicial Appointments Commission (JAC):

The JAC has a legal identity separate from DCA. It is an executive NDPB created under the Constitutional Reform Act 2005

Its function is:

- To select judicial office holders. Its statutory responsibilities are:
 - to select candidates solely on merit
 - to select only people of good character
 - to have regard to the need to encourage applications from a wider range of candidates

It is not bound by the General Statutory Duty to promote Race Equality. The JAC does, however, consider that the general duty is potentially relevant to all of its functions.

It is not bound by the Specific Duty to publish a Scheme. The JAC will, however, be publishing its own Equality Scheme in September 2007.

It is not bound by the Employment Duty but the JAC staff who are on secondment to the JAC from the DCA are covered by the DCA Race Equality Scheme and its duty on employment.

The CRE has suggested that the JAC be included in the list of bodies bound by the general and specific duties (at a date in the future)

The Law Commission:

The Commission is a statutory advisory NDPB that was set up by the Law Commissions Act 1965

Its function is to keep the law under review and recommend reform where it is needed. It does this by undertaking extensive research into particular areas of law, both the law in England and Wales and in other jurisdictions, consulting widely on difficulties and options for reform, and making recommendations accompanied by draft legislation

It is bound by the General Statutory Duty to promote Race Equality.

It is not bound by the Specific Duty to publish a Scheme.

It is not bound by the Employment Duty but the Commission is staffed by DCA employees, therefore its staff are covered by the DCA Race Equality Scheme and its duty on employment.

The Legal Services Commission (LSC):

The LSC is an executive NDPB sponsored by the DCA

Its function is:

- To maintain and develop the Community Legal Service (CLS) and the Criminal Defence Service (CDS) through which it funds legal and advice services in England and Wales
- To identify where there is unmet need for publicly funded civil legal and advice services and to develop suppliers and innovative services to meet priority needs that it identifies

It is bound by the General Statutory Duty to promote Race Equality.

It is bound by the Specific Duty to publish a Scheme. The latest Equality Scheme is available on the LSC website: www.legalservices.gov.uk

It is bound by the Employment Duty.

The Office of the Legal Services Complaints Commissioner (OLSCC):

The Commissioner is an independent, government-appointed regulator, whose office was set up under the Access to Justice Act 1999

Its function is to work with consumers to improve how the Law Society handles complaints about solicitors in England and Wales.

It is not bound by the General Statutory Duty to promote Race Equality. The OLSCC is, however, committed to delivering a service that subscribes to the aims of the general duty.

It is not bound by the Specific Duty to publish a Scheme.

It is not bound by the Employment Duty but the OLSCC is staffed by DCA employees, therefore its staff are covered by the DCA Race Equality Scheme and its duty on employment.

The Office of the Legal Services Ombudsman (OLSO):

Its function is to support the Legal Services Ombudsman for England and Wales, a statutory officer holder, in overseeing the handling of complaints about the legal professions by their professional bodies

It is not bound by the General Statutory Duty to promote Race Equality. The OLSO ethos is, however, to deliver a service that subscribes to the aims of the general duty.

It is not bound by the Specific Duty to publish a Scheme.

It is not bound by the Employment Duty but the OLSCC is staffed by DCA employees, therefore its staff are covered by the DCA Race Equality Scheme and its duty on employment.

The Office for Criminal Justice Reform (OCJR):

The OCJR is a cross-departmental organisation that reports to Ministers in the DCA, the Home Office and the Office of the Attorney General

Its function is to support all criminal justice agencies in working together to provide an improved service to the public.

It is not bound by the General Statutory Duty to promote Race Equality but the OCJR does, however, consider that the general statutory duty is potentially relevant to all of its functions.

It is not bound by the Specific Duty to publish a Scheme but the OCJR's arrangements for meeting the general duty were included in The Core Home Office (non-IND) Associate Race Equality Scheme published in May 2005.

It is not bound by the Employment Duty.

Appendix E: List of Consultees

Internal

- Heads of Directorate/Heads of Unit
- Regional Diversity Managers/Diversity Business Contacts
- Race Review Group
- Corporate Staff Networks
- Publication Team
- Trade Union Side

External

- Applied Language Solutions
- Association of District Judges
- Association of Chief Police Officers
- Astar Ltd
- Bar Council
- Black Solicitors Network
- BME Independent Advisory Group (Durham)
- CAFCASS
- Cheshire, Halton and Warrington Race Equality Council
- Civil Justice Council
- Durham and Darlington Race Equality Council (Durham)
- Family Justice Council
- Greater London Authority - Mayor for London's Office
- Humberside Probation
- Indian Muslim Welfare Society (Batley)
- Judicial Communications Office
- Kirklees Race Equality Council
- Law Society
- London-wide Hate Crime Forum
- Magistrates Association
- Norfolk Criminal Justice Board Diversity officer
- North Wales Race Equality Network
- Race & Diversity Action Group
- Society of Asian Lawyers
- South Yorkshire Courts' Board
- South Yorkshire Local Criminal Justice Board
- Victim and Witness Support
- Welsh Assembly

Appendix F: Glossary

BME	-	Black and minority ethnic
CFO	-	Court Funds Office
CJC	-	Community Justice Council
CJS	-	Criminal Justice System
CPS	-	Crown Prosecution Service
CRE	-	Commission for Racial Equality
DCA	-	Department for Constitutional Affairs
DIA	-	Diversity Impact Assessment
DMB	-	Departmental Management Board
EDHRD	-	Equality, Diversity and Human Rights Division
HMCS	-	Her Majesty's Courts Service
HRD	-	Human Resources Directorate
LCJ	-	Lord Chief Justice of England and Wales
LCJB	-	Local Criminal Justice Board
MEB	-	Ministerial Executive Board
OSPT	-	Office of the Official Solicitor and Public Trustee
PGO	-	Public Guardianship Office
PROUD	-	People of Diverse Racial Origin Uniting the Department
PSA	-	Public Service Agreement
REIA	-	Race Equality Impact Assessment
RES	-	Race Equality Scheme
RIA	-	Regulatory Impact Assessment
RRA	-	Race Relations Act 1976
RRAA	-	Race Relations (Amendment) Act 2000
SCS	-	Senior Civil Service
SOS	-	Staff Opinion Survey

Appendix G: References

- Civil Service, Delivering a Diverse Civil Service: A 10-Point Plan (2005)
www.civilservice.gov.uk/diversity/10_point_plan/index.asp
- CRE, Statutory Code of Practice on the Duty to Promote Race Equality (2002)
www.cre.gov.uk/downloads/duty_code.pdf
- CRE, Statutory Code of Practice on Racial Equality in Employment (2005)
www.cre.gov.uk/gdpract/employmentcode_downloadpage.html
- DCA, Staff Opinion Survey (2005)
- DCA, Workforce Composition Diversity Statistics Report (2004-05)
- PROUD Network, Survey of PROUD membership (2005)
- Home Office, Citizenship Survey (2001)