

Cross-Cutting Themes Guidance for European Social Fund (Sustainable Development and Equality)

February 2017

Contents

Sustainable Development Policy and Implementation Plan	3
Introduction	3
The Basic Requirements	4
Sustainable Development Policy	4
Sustainable Development Implementation Plan	5
Gender Equality and Equal Opportunities Policy and Implementation Plan	6
Introduction	6
The Basic Requirement for the Equality Policy and Implementation Plan	7
The Implementation Plan	8

Sustainable Development Policy and Implementation Plan

Introduction

1. Sustainable development is a regulatory cross cutting theme for all Structural Fund programmes.
2. The UK Government is committed to sustainable development. The Government aims to stimulate economic growth and tackle the deficit, maximise wellbeing and protecting the environment, without negatively impacting on the ability of future generations to do the same.
3. This refreshed vision and commitment builds on the principles that underpinned the UK's 2005 Sustainable Development strategy, by recognising the needs of:
 - the economy;
 - society; and
 - the natural environment,
4. The ESF England Operational Programme explains that the objectives of the European Social Fund programme will be pursued in line with the principle of sustainable development, including the aim of preserving and improving the quality of the environment as well as the need to prepare for expected changes to the environment and climate.
5. Sustainable development in the European Social Fund Programme has an environmental focus – to help provide some balance to the European Social Fund's strong social and economic focus (its main mission). The European Social Fund programme therefore welcomes applications from projects that have a strong environmental focus whilst also supporting either: jobs; skills; or social inclusion in a way that addresses local strategic needs. The programme also welcomes complementary training support for specialist sustainable development activities delivered by other programmes such as the European Regional Development Fund.
6. All projects, whether they have an environmental focus or not, must take the environment into account when delivering their services. The Operational Programme explains that Managing Authority and Opt-In organisations will require all programme providers to have sustainable development policies and implementation plans.



7. The purpose of the sustainable development policy is to provide a statement – a public commitment – to promoting sustainable development and to comply with relevant environmental legislation whilst delivering European Social Fund activities.
8. The purpose of the implementation plan will be to turn the above policy commitment into action.
9. **It should be noted that this regulatory theme is subject to monitoring, audit and evaluation.**
10. Your sustainable development policy and plan will undergo a basic initial assessment at application stage to ensure that a basic policy and plan exist and that the key elements of the policy and plan have been drafted. **Passing the basic initial assessment should not be considered as a full endorsement of the policy / plan.**
11. The policy and plan are working documents and developmental in nature and are therefore expected to be subject to continuous improvement. This means that the policy and plan may well need to be amended / improved / updated on an on-going basis should your application be approved. This will be discussed in the context of future contract management and monitoring of your project.

The Basic Requirements

Sustainable Development Policy

12. i) The provider's sustainable development policy should provide a firm commitment to promoting sustainable development whilst delivering the European Social Fund activity that is being funded and provides an assurance that any sub-contractors delivering European Social Fund activities will also support sustainable development. The plan should list sub-contractors used / to be used (if known at application stage).
13. ii) The sustainable development policy statement should confirm that it will check that that each organisation involved in delivery of the contract (the provider and any sub-contractors) will: (a) dispose of its waste using a registered waste collector and (b) observe and comply with the Waste Electrical and Electronic Equipment (WEEE) regulations.
14. iii) The sustainable development policy should be specific to the European Social Fund contract being delivered and should include details of any sub-



contractors involved in the delivery of the contract provided (where this is known).

Sustainable Development Implementation Plan

15. (iv) The sustainable development implementation plan should explain what specific action it will take to ensure that each organisation involved in delivery of the contract will:
- (a) minimise waste;
 - (b) minimise energy consumption;
 - (c) minimise use of travel and promote use of public or green transport where travel is unavoidable.
16. (v) The sustainable development implementation plan should include a commitment to researching and producing a simple 'baseline' estimate of its own environmental impact in terms of: waste minimisation; recycling; and energy consumption. The plans should also explain how this will be assessed for any other organisations helping to deliver the contract. Having established the simple baselines, the plan should then explain how they will monitor reduced energy consumption, increased volumes of recycling and improvements in waste management (where required) against the original baseline. The aim of this exercise is to demonstrate that, as far as possible, efforts are being made to reduce waste, increased recycling and reduce energy consumption during the life of the project. **The baselines and subsequent measurements can be set in very simple terms** (e.g. number of toner cartridges used / volumes of paper consumed / electricity consumed etc). Some projects may prefer to use 'carbon usage' estimates – this will be a matter of choice for each project.
17. (vi) The sustainable development implementation plan should provide details of how staff and trainee awareness of sustainability will be increased / improved in order to support the policy and plan (for example , how with policy and plan be communicated? Will training be provided? Will the projects have a 'switch it off' campaign, will public transport / green transport be promoted for staff and participants etc?).



Gender Equality and Equal Opportunities Policy and Implementation Plan

Introduction

18. All European Social Fund providers will be expected to have an equality policy and an implementation plan. The Managing Authority requires this in order to:
 - (i) help embed 'due regard' to the Public Sector Equality Duty / Equality Act 2010 into programme delivery; and
 - (ii) help meet EU structural fund regulations to promote gender equality and equal opportunities.
19. It should be noted that ESF-funded private and voluntary sector organisations, including sub-contractors, come under the scope of the Public Sector Equality Duty
20. The policy and implementation plan will not only help projects / providers meet regulatory requirement – but should also be used as a tool to help provide a quality service to participants.
21. The purpose of the equality policy is to provide a statement which acts as a public commitment to promoting equality in-line with the Public Sector Equality Duty (Equality Act 2010). This commitment need to be put in writing and communicated to staff and participants and other service users.
22. The purpose of the implementation plan is to set out the action that will be taken by the providers and its staff to enable equality to be promoted in line with the Public Sector Equality Duty. The plan should be set out as an action-plan.
23. Background information on the Equality Act 2010 and the Public Sector Equality Duty is available from the EHRC website:
24. <http://www.equalityhumanrights.com/legal-and-policy/legislation/equality-act-2010>
25. Your equality policy and plan will undergo an **initial basic assessment** at application stage to ensure that a basic policy and plan exist and that the key elements of the policy and plan have been drafted. **Passing the basic assessment is not, in itself, a full endorsement of the policy / plan.** The policy and plan are working documents and are expected to be subject to



continuous improvement. The policy and plan may well need to be amended / updated should your application be approved. This will be discussed in light of contract management and monitoring of your project.

The Basic Requirement for the Equality Policy and Implementation Plan

26. Equality Policy:

- (i) **The equality policy has a clear title linking it to the project / provision.**
- (ii) **The policy has a clear general statement which recognises the importance of the Equality Act 2010 and the related Public Sector Equality Duty** and commits the organisation to have due regard to the need to the three aims of the general duty i.e.:
 - eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
 - advance equality of opportunity between people who share a protected characteristic and those who do not;
 - foster good relations between people who share a protected characteristic and those who do not.

27. **To note:** The Equality Act explains that having due regard for advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these are different from the needs of other people;
- encouraging people from protected groups to participate in public life or in **other activities where their participation is disproportionately low.**

28. The Equality Act states that meeting different needs includes taking steps to take account of disabled people's disabilities.

29. The Act describes fostering good relations as tackling prejudice and promoting understanding between people from different groups.



(iii) **The public commitment should be endorsed by the chief executive** (or a similar senior figure within the organisation) – so, reflecting commitment from a high level within the organisation.

(iv) **There should be a clear revision history** – indicating when the plan was agreed and who approved it.

(v) scope:

- The policy should cover the nine protected characteristics of the Equality Act 2010 i.e.: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex and sexual orientation. Public authorities also need to have due regard to the need to eliminate unlawful discrimination against someone because of their marriage or civil partnership status.
- **The policy should cover staff and participants alike.**
- **The policy should cover the ESF funded activity and explain how the provider will ensure that any sub-contractors will promote equality in line with legal requirements (if this is required). If action is required this should be reflected in the implementation plan.**
- The policy should give a **commitment to communicate to staff and participants** and suppliers as necessary.
- The policy should give a **commitment to monitoring of progress towards any key objectives – including monitoring representation and performance of different groups (sex, race, disability, age).**

The Implementation Plan

30. The implementation plan should set out how the project will turn its equality commitment into action.

31. The plan should cover:

(i) staff

- how they will be trained in equality and diversity / how training will be reviewed
- annual monitoring of staff by characteristics – sex, race, disability, age (with a view to identifying any significant under-representation)

- do staff have equality objectives in personal development and appraisal processes.

(ii) participants

- how they will be informed of policy / anti bullying policy etc. – e.g. induction
- how they will learn about importance of good relations

(iii) performance

- how the Project(s) will monitor its performance in terms of representation effectiveness of different groups
- action that the Project(s) will take in light of any underperformance (this to be added as required once the Project(s) has been running for a period of time)

(iv) arrangements for reviewing the policy and implementation plan

The plan should be reviewed on a regular basis and in line with any contractual requirements set by the opt in organisation or Managing Authority.

(v) Communication

How the policy and plan will be communicated to staff, participants and where necessary, other suppliers.